

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CAPRON: A bill (H. R. 12188) granting an increase of pension to Albert Phetteplace—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 12189) for the relief of W. A. White—to the Committee on War Claims.

Also, a bill (H. R. 12190) for the relief of the widow of and heirs at law of Monroe Arnold, deceased—to the Committee on Claims.

Also, a bill (H. R. 12191) for the relief of Nancy E. Wright, heir of Melvil Wilkerson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12192) for the relief of Nancy Pierson, widow, and the heirs of John Hogue Pierson, deceased—to the Committee on Claims.

Also, a bill (H. R. 12193) for the relief of the heirs of James Tandy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12194) for the relief of the heirs of Nancy Senter—to the Committee on War Claims.

Also, a bill (H. R. 12195) granting a pension to Morinthia Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12196) granting a pension to Sophronia Beverly—to the Committee on Pensions.

Also, a bill (H. R. 12197) granting an increase of pension to Peter G. Brehm—to the Committee on Pensions.

Also, a bill (H. R. 12198) granting an increase of pension to David P. Baker—to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 12199) granting an increase of pension to Martin Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12200) granting an increase of pension to Frances M. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12201) for the relief of Frank Klein—to the Committee on Claims.

Also, a bill (H. R. 12202) for the relief of Helen Wakefield—to the Committee on Claims.

Also, a bill (H. R. 12203) for the relief of the American Biscuit Company, of San Francisco, Cal.—to the Committee on Claims.

By Mr. PICKETT: A bill (H. R. 12204) granting an increase of pension to Moses A. Kellum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12205) granting a pension to Raymond P. Snow—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 12206) granting an increase of pension to Mathew G. Kennedy—to the Committee on Invalid Pensions.

By Mr. RUCKER of Missouri: A bill (H. R. 12207) granting a pension to James M. Finnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12208) granting a pension to Archibald Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12209) granting an increase of pension to David M. Boyles—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 12210) granting an increase of pension to Z. B. Fifield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12211) granting an increase of pension to Daniel L. Wellington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12212) granting an increase of pension to James P. Aney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12213) granting an increase of pension to Andrew Kilpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12214) granting a pension to Malvina Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12215) granting a pension to Mary Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12216) granting a pension to Mary L. Nadeau—to the Committee on Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 12217) granting an increase of pension to George W. Rauch—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAPRON: Papers in the claim for increase of pension of Albert Phetteplace, United States Signal Corps—to the Committee on Invalid Pensions.

By Mr. STURGISS: Petition of Thomas R. Crittenden and 20 other citizens of Horton, W. Va., for pensions for military services and for old age—to the Committee on Pensions.

SENATE.

WEDNESDAY, August 4, 1909.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of yesterday's proceedings was read and approved.

THE PHILIPPINE TARIFF.

Mr. HEYBURN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9135) to raise revenue for the Philippine Islands, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, and 194; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In line 9 strike out the word "therein" and insert in lieu thereof the words "in this act;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In line 13 strike out the words "of the body of the textile;" in line 14, after the word "part," insert the words "of the body of the textile;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In line 9 strike out the word "of," after the word "by," and insert in lieu thereof the word "or;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In line 4 strike out the words "The same" and insert in lieu thereof the word "Glass," so as to read: "Glass, of all kinds;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In line 2, page 31, strike out the comma after the word "plates;" in the same line strike out the word "therefor;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In line 12, after the comma after the word "tables," insert the words "including balls;" in line 13 strike out the words "including balls;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That all articles, except rice, the growth, product, or manufacture of the United States and its possessions, to which the customs tariff in force in the United States is applied and upon which no drawback of customs duties has been allowed therein, going into the Philippine Islands, shall hereafter be admitted therein free of customs duty when the same are shipped directly from the country of origin to the country of destination: *Provided*, That direct shipment shall include shipment in bond through foreign territory contiguous to the United States. Said articles shall be as originally packed without having been opened or in any manner changed in condition: *Provided, however*, That if such articles shall become unpacked while en route by accident, wreck, or other casualty, or so damaged as to necessitate their repacking, the same shall be admitted free of duty upon satisfactory proof that the unpacking occurred through accident or necessity, and that the merchandise involved is the identical merchandise originally shipped from the United States or its possessions, as hereinbefore provided, and

that its condition has not been changed except for such damage as may have been sustained."

And the Senate agree to the same.

W. B. HEYBURN,
H. C. LODGE,
Managers on the part of the Senate.
E. J. HILL,
J. C. NEEDHAM,
EDWARD W. POUL,
Managers on the part of the House.

The report was agreed to.

LAWS OF ARIZONA.

The VICE-PRESIDENT laid before the Senate a communication from the secretary of the Territory of Arizona, transmitting a copy of the journals of the twenty-fifth legislative assembly of the Territory of Arizona, which was referred to the Committee on Territories.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 6277) to authorize the building of a dam across the Savannah River at or near the mouth of Stevens Creek, between the counties of Edgefield, S. C., and Columbia, Ga., and it was thereupon signed by the Vice-President.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the memorial of Henry B. Pain, of Santa Fe, N. Mex., remonstrating against the enactment of a certain law by the legislative assembly of that Territory relating to domestic and foreign corporations doing business in that Territory, which was referred to the Committee on Territories.

Mr. DEPEW presented a petition of J. B. Griffith Division, No. 533, Brotherhood of Locomotive Engineers, of East Buffalo, N. Y., praying for the passage of the so-called "boiler inspection" and "full crew" bills, which was referred to the Committee on Commerce.

He also presented a memorial of sundry lace manufacturers of New York City, N. Y., remonstrating against the free admission of Lever and Gothrough lace machines to January, 1911, as provided in paragraph 197 of the pending tariff bill, which was ordered to lie on the table.

Mr. OLIVER presented a petition of the Amalgamated Association of Iron, Steel and Tin Workers of New Castle, Pa., praying that an investigation be made of the industrial conditions in the steel mills and car shops of western Pennsylvania, which was referred to the Committee on Education and Labor.

PRELIMINARY EXAMINATIONS AND SURVEYS.

Mr. SMOOT. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. J. R. 16) authorizing the printing of reports upon preliminary examinations and surveys, and so forth, to report it favorably without amendment, and I ask for its present consideration.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. CULBERSON. Let it be read at length.

The VICE-PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that at any time prior to the assembling of Congress in December, 1909, all reports of preliminary examinations and surveys heretofore authorized by Congress that may be prepared and ready for printing shall, in the discretion of the Secretary of War, be printed by the Public Printer as documents of the Sixty-first Congress.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BEVERIDGE:

A bill (S. 3095) to create a tariff commission; to the Committee on Finance.

By Mr. BRIGGS:

A bill (S. 3096) to extend to the port of Thompsons Point, in the district of Bridgeton, N. J., the privilege of immediate transportation without appraisement of dutiable merchandise; to the Committee on Commerce.

By Mr. PERKINS:

A bill (S. 3097) for the relief of Douglas C. McDougal; to the Committee on Claims.

By Mr. DEPEW:

A bill (S. 3098) providing for the adjudication of the claim of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., by the Court of Claims; to the Committee on Claims.

By Mr. BULKELEY:

A bill (S. 3099) granting a pension to Mary A. Medley (with accompanying papers); and

A bill (S. 3100) granting an increase of pension to George E. Worcester (with accompanying papers); to the Committee on Pensions.

By Mr. DIXON:

A bill (S. 3101) providing for the establishment of a bureau of mines in the Department of the Interior; to the Committee on Mines and Mining.

A bill (S. 3102) to establish a new judicial district in the State of Montana; to the Committee on the Judiciary.

WAGES IN GERMANY.

Mr. BRIGGS. I present a letter from William Burgess, of Trenton, N. J., vice-president of the United States Potters' Association, which I ask may be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

THE UNITED STATES POTTERS' ASSOCIATION,
OFFICE OF THE CHAIRMAN OF THE EXECUTIVE COMMITTEE,
Trenton, N. J., July 3, 1909.

Hon. FRANK O. BRIGGS,
Washington, D. C.

MY DEAR SENATOR: Senate Document No. 74, "Wages paid in Germany," contains certain references to me, by name, in connection with the subject of china and pottery wares, contradicting statements and figures presented by me to the Committees on Ways and Means and on Finance.

I would not ask your indulgence nor encroach upon your time, but for the fact that the German statement comes clothed with the dignity of an official communication from the Imperial Government of Germany, and thus officially attacks the veracity of the statements made by me while standing as the mouthpiece and representative of a great American industry before the two official committees of our Government.

I have before me only the brief summary of the report as printed in Document No. 74, but from what is contained therein I should judge the full report to be a statement compiled by the German manufacturers, who are deeply interested in continuing the control of the American market, to the same extent, at least, as they have controlled it in the past. I hesitate to use words to fittingly describe such an audacious attempt to mislead and influence the lawmakers of a country other than their own.

They do not confine themselves to giving misleading figures as to the cost of production in their own country, but go out of the way to try to show that my English figures are "faulty"—the English manufacturers have never questioned the accuracy of said figures. They would lead one to believe that the American potteries were built on "free land," with large cash bonuses, whereas most of the American potteries are built on land as valuable as the average of any such factories built anywhere in the world. They state that many of the factories are run on "natural gas" at 10 cents per 1,000 feet, whereas the gas, where used, is metered and costs as much as the finest Pittsburgh coal. The question is, What has all this to do with the cost of making pottery in Germany?

I will not attempt to point out all the false statements made in this report, but will point to a few as illustrative of every one made.

The facts presented by me to the House and Senate committees were secured from personal first-hand information gathered during four separate trips of investigation abroad; from men who have been or are at present proprietors or managers of factories in Germany; from German official reports and records; from technical and trade papers; from the "English board of trade inquiry into the cost of living and wages in Germany;" and from the report of Mr. C. M. Pepper, the United States special agent of the Department of Commerce and Labor.

As an example, on page 4 the statement is made that "in only a few parts of the country women and girls are permitted by law to work at the kilns or at dipping." Beside my own observation to the contrary, Mr. Pepper, in his report of November 24, 1908, states: "They (females) are also quite generally employed at the ovens or kilns, placing the pieces in the saggers. * * * The proportion of females varies greatly, according to the nature of the goods manufactured and the location of the factory. In some places the proportion is 50 per cent and in others not more than 10 or 15 per cent. In textile districts the pottery factories have few, as they prefer to work in the textiles."

Again, the statement is made that "the data presented by Mr. Burgess relates to conditions in Sonneberg district, which is quite unimportant as far as tableware is concerned." Our government import figures for 1908 show that out of a total import of china and pottery from Germany of \$5,287,267, the consular district of Coblenz-Sonneberg reported \$2,294,000, not so "unimportant" as it might seem. My only reference to Sonneberg figures was to quote the report of the Sonneberg Chamber of Commerce, to show that the figures quoted by me were much higher than the figures of this report.

An examination of any of the figures reporting wage earnings will show how the figures of this wage report are inflated. Just a few examples:

Branch.	German.	Pepper.	Burgess.	American wages.
Jigger man.....	\$8.00	\$6.72	\$6.78	\$33.30
Kiln men.....	7.50	5.76	5.76	20.00
Laborers.....	4.50	3.46	3.28	9.00

As to the cost of materials, the figures given are in every case the prices of the very highest class materials, including the largest freight charges. For example:

Coal: German report, \$6.25. The published prices last autumn were from \$2.95 to \$6.20. My figures were \$3.69, being the value of the coal on the average in the proportion generally used of each kind.

Clay: German report, \$16.50. The trade quotations of various kinds of clay ran from \$4.75 to \$14.87 per ton, f. o. b. cars.

Piecework prices: On pages 20 a single example will be enough.

Cuspidor spittoons: The German figures for forming or making price are 76.7 cents per dozen; my figures are 12 cents. Now, the average making cost of pottery ware is about one-fifth the total cost. This would make the total cost, according to my figures, about 60 cents, and, according to the German figures, about \$3.83. Now, the proof of the gross inaccuracy is the fact that these goods are entered at the port of New York, decorated, at less than \$1 per dozen. Comment is unnecessary.

When the suggestion is made that the American potter is more efficient than is the German potter, with his advantages derived from the government technical schools and reared under the strict discipline proverbial throughout Germany; when the suggestion is made that the American potter may work longer than his German brother; when the claim is made that clerks, bookkeepers, engineers, directors, and so forth, are paid as high as, or higher wages than in America, I feel that the mere statement displays such gross ignorance in these matters of common knowledge as to render the entire report unworthy of consideration, and reveals the absurdity, as well as the audacity, of the whole attempt to "butt in" on our tariff making.

The last statement made in the summary is as follows: "The selling prices of German goods (pottery) are 76.53 per cent of the prices prevailing in the United States." This is certainly a most astonishing statement, whether taken from a wholesale or retail point of view. It means that if certain goods can be purchased in Germany for \$76.53, the same can be purchased when landed in the United States at \$100. How is this possible? If you add to the \$76.53 the duty, 60 per cent; expenses to land, 10 per cent; and, say, as small a gross profit as 10 per cent, you find the goods cost in this country \$134.75. If, however, the goods pay a duty on one-third their value, and an allowance be made of 10 per cent for expenses and one-half per cent of profit, the result will be as stated, \$100.

I notice that the heading on page 19 of the summary reads, "Protest against the imputation that German importers of pottery are undervaluing their goods," but I see no explanation given for the great difference in the German export figures of pottery ware and the United States import figures covering the same goods and the same period of time:

German export figures to the United States for 1907-----	\$8, 171, 500
American import figures from Germany for 1907-----	5, 585, 580

The German consul-general at New York explained that this difference arose from the German method of arriving at export values.

The facts are that in arriving at these figures inquiry is made by the imperial bureau of statistics into the total value of the pottery product as compared with its weight. The year's output by weight and by value is obtained from manufacturers, merchants, and chambers of commerce throughout Germany, and the average is figured and an average unit of value by weight is established. It is not exact as to an individual article, but is very accurate as an average. This unit of value was settled for the year 1907 to be 165 marks per 100 kilos, or 220 pounds.

Being unable to explain the great difference in the above figures, the Imperial Government has found a way out of the difficulty, as set forth in the German trade paper, published at Coburg, the *Sprechsaal*, March 18, 1909, as follows:

"The imperial bureau of statistics has published that the unit of class No. 733c (china tableware) is 98 marks per 100 kilos. It is needless to say that this value is correct, as it has been confirmed by the experts of the bureau after they found the former figure of 165 marks was erroneous. * * * The fact that the imperial bureau of statistics publishes a new figure for the unit value just at this time, while tariff revision is going on in the United States is significant in so far as it shows that the Imperial Government pays a great deal of attention to the events in Washington. The German china industry can therefore rest assured that their interest is well looked after by the Imperial Government and their representatives in Washington. * * *

The above method is surely an easy way of "squaring" their figures with ours and of keeping on "doing business at the old stand."

Is it to the interest of the German manufacturer and the German chamber of commerce, upon whom the German Government must depend for such information, to make statements and to give facts and figures upon which they know they will be adversely affected? The following quotation will fully and clearly set forth their attitude toward such matters:

"The definite purpose to evade the payment of duty on the basis prescribed by our tariff law is clearly indicated by the following quotations from an address made at a large commercial gathering in Berlin in October, 1905, by the chairman of the meeting, one of the largest and most reputable merchants of Germany, the address being made behind closed doors, but was afterwards read before all the chambers of commerce of the realm:

"ADDRESS AT BERLIN CHAMBER OF COMMERCE.

"As a fact the United States is not dependent for its existence upon the collection of duties, and it can afford to allow the falling off of revenues in this direction for what they claim 'the general good.' From this standpoint it is clear that in the administration of the tariff is concealed the power and purpose to make the entry of certain competing articles as difficult as possible, and to carry this out the United States Government agents resort to the meanest and smallest measures.

"The first of these is the certification of the invoices by consular officers stationed in various districts of the Empire. Second, the investigations by customs officials as to the correctness of statements in the invoices, which have not the force or effect of an oath in the German Empire. Third, the reexamination in cases where there is reason to doubt values by agents of their Treasury Department; and fourth, by the high penalties added for undervaluation. Naturally we all admit that an actual swindle is incorrect in any business transaction, but 'undervaluation' should not be treated as such unless positively proved. However, no such elasticity is to be found in the minds of American customs officials, who treat 'undervaluation' as they call it, as fraudulent, and they at once apply the usual penalties. Our goods have been exported to England and the United States at lower prices than those for the home market, and there have been more or less low

values for the States, and in some cases what would be there termed 'fraud,' and such are the conditions at the present time.

"Market value," as defined under American law, is the wholesale price at the time of export, and our trouble lies in having two sets of prices, one for export and the other for home trade. We have to resort to a division of shipments under the so-called '\$100 clause' to keep our matters secret, save fees, and avoid control on that side.

"Declarations in invoices compelling all sorts of statements as to how the goods were obtained, whether by purchase or otherwise, values in detail, and charges of every character are the crowning point in the prying curiosity practiced under the American customs laws.

"These things all lead to abuses, and we are promised that the means of gaining information through American consuls and agents will be shut off. Our boards of trade are fully awake to the dangers that surround us, and in making every effort to close the doors against this abuse they are hoping for the whole support of the Government.

"Experience has taught that the workings of paragraph 8 of the Dingley tariff has not fulfilled the purpose for which it was created, but, on the contrary, the information gained under this regulation concerning costs of production has been so defective that in many cases it has been misleading, because through the prudence of our officials we have taken care that investigations of this character shall throw little light upon the actual value of their consignments.

"In many cases trouble has been avoided by having invoices consularly remote from districts in which the goods are manufactured, but we must follow up this whole question as to the rights of consular and other officers to pry into our business for the sole purpose of keeping out our merchandise, and in this we are assured of the cordial support of our Government. Such treatment on the part of American officials and the cause for it is plain, and now that concessions must be made by the American Government, if we stand together firmly as a body, aided and supported by our board of trade, we can bring about a change that will be of untold benefit to our American export trade." (See hearings before the Committee on Ways and Means February 23, 1906, p. 34.)

"The above quotation indicates the attitude of the German exporters, their consciences being clear of any offense or wrong in thus evading our tariff laws.

Respectfully,

"WILLIAM BURGESS,

"Vice-President United States Potters' Association."

TARIFFS ON SUGAR.

Mr. DICK. I present a paper prepared by Truman G. Palmer, which deals with the sugar tariffs of the United States from 1789 to 1909, together with certain data concerning the Dutch standard of color. I move that the paper be printed as a document (S. Doc. No. 151).

The motion was agreed to.

JAPANESE SUBSIDIES.

Mr. FRYE. I present a paper, together with a letter from the Commissioner of the Bureau of Navigation, Department of Commerce and Labor, relative to the Japanese law of subsidies for transoceanic steamship lines, passed April, 1909, and to take effect January 1, 1910. I move that the paper be printed as a document (S. Doc. No. 152).

The motion was agreed to.

CORPORATE SURETYSHIP.

Mr. JONES. I ask leave to have printed in the RECORD a telegram from J. H. Shively, insurance commissioner of the State of Washington, relating to corporate suretyship, and also a letter from John P. Hartman, a citizen of Seattle, regarding the same subject. I will state that I have received a great many letters of similar import.

The VICE-PRESIDENT. Without objection, the request will be granted.

The matter referred to is as follows:

OLYMPIA, WASH., August 1, 1909.

Hon. WESLEY JONES,
United States Senate, Washington, D. C.:

Having jurisdiction over insurance matters in my State, I respectfully inform you that at the annual meeting last August the question relating to corporate suretyship, mainly those under discussion at Washington, were taken up and a committee appointed to bring in report for our joint action at Colorado Springs next month. I desire to suggest that two or more congressional or departmental representatives be appointed to act with our association. The licenses of all surety companies originate with us as to state rights. Concurrent action by federal representatives will settle all questions regarding needed state and federal action, both as to rates and terms of liability. Therefore request that further action be postponed until next session of Congress, in order that joint committees may have time to report.

J. H. SHIVELY,
Commissioner of Insurance.

SEATTLE, WASH., July 28, 1909.

MY DEAR SENATOR: I am informed by one of the surety companies that a bill is now pending before the Senate providing that the Government itself shall fix the amount of the fee or premium which employees of the Government shall pay for obtaining bonds for faithful conduct. I have been asked to express an opinion regarding the merits of the bill and otherwise.

It seems to me that this bill should not pass. The bond rate is exceedingly low now, and has been made so by competition, and is not burdensome to anyone. In fact, it is much lower than anyone else is paying.

The bonding companies are not public-service corporations. Therefore it occurs to me that Congress has no right to determine the compensation that shall be paid to the corporation for a service to an individual. Therefore, in this respect, the act would seem to me to be unconstitutional. If the rate charged by the bonding companies should become exorbitant or unconscionable, then we have adequate remedies,

because the courts will relieve from an unconscionable contract. This condition does not exist, however.

I am quite clear that after you have studied the matter you will feel that the bill ought not to pass. I am not entirely informed, but believe it has passed the House.

Yours, very truly,

JOHN P. HARTMAN.

Hon. WESLEY L. JONES,
Washington, D. C.

BRIDGES OVER NAVIGABLE WATERS.

The VICE-PRESIDENT. The morning business is closed and the Chair lays before the Senate the conference report upon the disagreeing votes of the two Houses on House bill 1438.

Mr. SIMMONS obtained the floor.

Mr. FRYE. I am very anxious to have passed the omnibus bridge bill with Senate amendments. It will take but a few moments.

Mr. SIMMONS. I will yield to the Senator.

Mr. FRYE. Will the Senator yield that I may ask the Senate to consider it?

Mr. SIMMONS. Certainly.

Mr. FRYE. I ask the Senate to proceed to the consideration of the bill (H. R. 11572) to authorize the construction, maintenance, and operation of various bridges across and over certain navigable waters, and for other purposes. All the items of the bill have been approved by the War Department.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, on page 5, line 9, after the word "near," to strike out the name "Hundley" and insert "Reddings Ferry," so as to make the clause read:

The county of Bradley, in the State of Arkansas, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Saline River, at a point suitable to the interests of navigation, at or near Reddings Ferry, in the State of Arkansas.

The amendment was agreed to.

The next amendment was, on page 6, after line 21, to insert:

The Minneapolis, St. Paul and Sault Ste. Marie Railway Company, a railway corporation organized under the laws of the States of Michigan, Wisconsin, Minnesota, and North Dakota, its successors or assigns, are hereby authorized to build a railway bridge across the Mississippi River from a point on the east bank of said river to a point on the west bank of said river, all in the northeast quarter of the northeast quarter of section 27, township 49 north, range 25 west, in the county of Aitkin, State of Minnesota.

Mr. FRYE. After the word "River," in line 2, I move to insert the words "at a point suitable to the interests of navigation."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 7, after line 6, to insert:

William G. Tait and his assigns are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Okanogan River at Omak, in the State of Washington.

Mr. FRYE. After the word "River," in line 9, I move to insert "at a point suitable to the interests of navigation."

The amendment to the amendment was agreed to.

Mr. BURTON. Another slight amendment should be made in line 9. After the word "at" and before the word "Omak," the words "or near" should be inserted.

Mr. FRYE. I have no objection to that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRYE. I also move the following amendment.

The SECRETARY. It is proposed to insert, after line 10, on page 7:

The Chicago and Western Indiana Railroad Company, a corporation organized under the laws of the State of Illinois, its successors and assigns, are hereby authorized to construct, maintain, and operate a bascule bridge and approaches thereto across and over the Calumet River to replace the present bridge of the Chicago and Western Indiana Railroad Company, at a point suitable to the interests of navigation, in the northwest quarter of section 30, in township 37 north, range 15 east, of the third principal meridian, in the city of Chicago, county of Cook, and State of Illinois.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TENNESSEE RIVER LOCK AND DAM.

Mr. BURTON. I ask the Senator from North Carolina to yield, that I may call up a bill which will take only a moment.

Mr. SIMMONS. Very well.

Mr. BURTON. I ask unanimous consent for the present consideration of the bill (H. R. 11579) to amend an act relative to the erection of a lock and dam in aid of navigation in the Tennessee River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, on page 1, line 6, after the word "approved," to strike out "March" and insert "April," so as to make the bill read:

Be it enacted, etc., That the act of Congress entitled "An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes," approved April 26, 1904, and amended by an act approved January 7, 1905, be, and the same is hereby, amended as follows: Strike out in line 4 of section 2 of the act of April 26, 1904, after the word "act," the following words: "And the same shall be completed within four years from the date of beginning the construction" and insert in place thereof the words: "And the same shall be completed within six years from the date of beginning the construction, or within such time in excess thereof as the Secretary of War may allow."

Mr. BURTON. The amendment is merely to correct a clerical error.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

THE TARIFF.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SIMMONS. Mr. President, before the panic of 1907, while the country was on the crest of a wave of unexampled prosperity, there began to be heard from one end of the country to the other mutterings against the Dingley tariff. It was denounced because of its inequalities and injustice. It was stigmatized as oppressing the many in the interest of the few. These denunciations were not confined to Democrats. They came from Republicans as well—from protectionists as well as from antiprotectionists. The public clamor against this Republican enactment was so insistent, so aggressive, so general and widespread, that it could not be ignored. In response to it, in the summer of 1908, both political parties in their national conventions promised to amend and revise that law so as to meet these complaints of the people. The verdict of the election was against the method of revision proposed by the Democratic party, and we need not consider that plan in determining the question whether this bill is such a revision as the people have a right to expect. A majority of the people voted in favor of a revision by the Republican party, and the question is, Does this bill comply with the pledge for revision upon which that party was elected?

Up to the time of the Chicago convention in 1908 there had been no official and authoritative definition by the Republican party of its doctrine of protection. At one time that doctrine was given one construction and at another time a slightly different construction. One element of that party construed it to mean one thing and another element construed it to mean a different thing. In practice it had frequently been applied so as to foster and promote the interests of the few at the expense of the many. To meet the complaints and remedy the abuses which had grown out of this loose construction, the Chicago convention in 1908, in response to the demand of the Republican voters of the country, defined with reasonable precision what protection meant, or, to speak more accurately, declared what measure of protection the Republican party was willing to accord to the industries of the country. That platform declared protection to mean the difference between the cost of production here and abroad plus a reasonable profit to the domestic producer. That definition is as much a part of the Republican tariff pledge of 1908 as the promise of revision itself. Whether the Republican promise of revision was a promise to revise downward or upward depends upon whether the Dingley rates conform to that definition or not. If the Dingley rates exceed the rates prescribed in that definition, the platform pledge was for a downward revision, and if the rates fixed in this bill exceed the measure prescribed by this definition, it is not the revision the people voted for and directed their Representatives in Congress to make. The pledge for revision is positive and unequivocal. The rule which is to control in making this revision is specific—almost exact. If there is any uncertainty, it is contained in the terms "reasonable profits," and that is a legal phrase which is fairly well understood. It has often been used in our statutes—both state and national—and it has frequently received judicial interpretation. So that it may be said in fair intendment there is no doubt or uncertainty as to the degree of protection which the majority in Congress are authorized to vote to the productive industries of the country.

If this definition, which is an essential part of the pledge, is binding, then there was nothing for the majority to do except to find the facts with respect to cost of production of the items in the act of 1897, which are the subject of revision, and apply them. When the people devolved upon the Congress the duty of finding and applying these facts, they imposed upon it the duty of instituting an impartial and thorough inquiry as to those facts by methods calculated to elicit the truth to such a degree of certainty that would justify a man of ordinary prudence in acting upon in a matter involving his own personal affairs. If it should be conceded that the majority have made honest effort to apply the rule prescribed in their platform, it is obvious to every thoughtful man that the methods employed for ascertaining the facts with respect to the cost of production of the articles involved in this revision have not been of such a character as to inspire the confidence of the people in the correctness of their conclusions. As to the cost of production abroad there has been no investigation worthy of the name. The same is true to a less extent perhaps as to the investigations respecting the cost of production in this country. It is a matter of common knowledge here and in the country that the committees of both Houses have gotten the facts upon which they have acted almost entirely from the manufacturers or producers of the articles revised. A large part of this testimony coming from these interested witnesses was not delivered under the sanction of an oath. It came in the form of letters, briefs, and unverified statements. Some of it has been hearsay and much of it mere conjecture. Nearly all of it relating to the cost of production abroad has been what the law books and writers call "hearsay." Scarcely any of it would be competent in an ordinary court of justice. The consumer at whose demand and in whose interest this revision was ordered can not be said to have been heard at all. The utter unreliability of the evidence upon which the committees have acted in these great matters affecting vital interests of 80,000,000 of people has been made a matter of jest, not only in the press of the country but among the Senators and Representatives in Congress. We have had many illustrations of the utter unreliability of this testimony during the progress of this bill through the Senate. I have in mind now one of those instances. When the committee had acted in fixing the duty on razors upon certain signed statements of the manufacturers of razors as to the cost of their manufacture here and abroad, it developed in the course of the discussion upon this floor that the scale of wages which was furnished the committee in a signed statement of these manufacturers was about 100 per cent too high on the one hand and about 100 per cent too low on the other hand. Senators on the other side of the Chamber may be satisfied with this sort of investigation and testimony, but I make bold to say the people are not and will not be satisfied with it. There is not a Senator here who does not know that the so-called "hearings" have been nothing more than representations of interested manufacturers, and there are few of them, if any, who do not believe that so far as eliciting the truth is concerned they have been a farce—a miserable, wretched farce.

Mr. President, formerly I had not regarded with much favor the establishment of any tariff commission, but without finally committing myself I wish to say in this connection that the developments during the discussion of the last two months have led me to look with greater favor upon the proposition for a commission or board to ascertain the facts on which the schedules of the tariff should be framed. Whether the tariff is to be framed on the principle of a tariff for revenue or for protection it is equally necessary that the representatives of the people should have definite and reliable information, and I am led to believe that such reliable information can be best obtained by a body of carefully selected men specially commissioned to investigate and find tentatively at least the basis for adjustment of tariff duties. Without abrogating any of his responsibility, or abandoning any of his privileges, or shirking any of his duties or functions, every Senator and every Representative in dealing with the tariff measure, it would seem, should welcome correct and reliable information obtained by men specially selected for that purpose.

Again, Mr. President, I assert when the people commanded the majority in this body to revise the tariff and prescribed the rule by which they were to be governed in making that revision, it was a command to revise according to that rule; not a few scattered and haphazardly selected items, but every item in the Dingley law which is carried forward and retained in this bill. When the people declared that our present tariff laws should be revised so as to limit the protection accorded our industries to the difference in the cost of production, they did not refer to a few select articles or items of the old law, but to all of the dutiable items in that law, and by every reasonable intendment

it is an instruction to apply that rule not to the products of one industry in the country, but to the products of all of the protected industries.

There are something like 4,000 items in the Dingley bill. Eight hundred and forty-seven of them have been changed—revised, if you please. I do not admit that these 847 items have been revised according to the rule prescribed in the platform. On the contrary, I assert they have not been so revised. But, for the sake of argument, admit that they have, and still there are left 3,000 or more items that have not been touched. Among them are hundreds upon hundreds of vital import to the people notoriously top-heavy with overprotection. Strikingly conspicuous among them may be mentioned the items in the wool, glass, and metal schedules. It is idle to say that hundreds of these untouched duties do not exceed the difference in the cost of production here and elsewhere. What right had the Finance Committee, what right had the majority in this Senate, to say, and act upon that conclusion, that the Republican platform pledge was not binding as to these 3,000 unrevised items as well as to these 847 revised items, and that the demand of the people does not apply to them? But that is what they have done. In the partial revision of the Dingley bill, covered by 847 amendments made by the Senate and House, the pretense of revision of the tariff has been little, if any, better than a farce, except as to certain raw materials reduced or placed upon the free list for the benefit of protected manufacturers and trusts.

I may be wrong, but my own notion of the duty of revision, in the conditions under which we are acting, in view of the complaints of the people, embracing nearly every schedule in the bill against excessive protection, especially those carrying high duties upon the necessities of life, required the committee to take the act of 1897 and select the articles upon which the rates seemed to be higher than is justified under the rule under which it was acting and to institute a proper inquiry into the facts. Instead of that it proceeded in a haphazard sort of way, taking up an item here and there, some of them inconsequential, while refusing even to consider items of the greatest importance affecting the whole people, many of which furnished in part the basis of the widespread complaint which led to the promise of revision by this special session of Congress. But let that pass. Conceding for the sake of the argument that the committee was right in picking out an item here and there and increasing or reducing the duty as in their judgment they thought proper, I think there is nobody in this body who believes, and I doubt whether there are many people in the country who believe, that in making this partial revision there has been any serious attempt either on the part of the committee or the Congress to ascertain the facts with reference to the difference in the cost of production and to regulate the duties fixed upon these articles by that standard. In some instances the duties, already below the standard prescribed, have been reduced still lower. In other instances duties already above the standard have been raised still higher. In other cases duties above the standard have been reduced without bringing them down to the level it prescribed; while others, already practically prohibitive, have been made more prohibitive, if not absolutely so. Still other prohibitive duties have been reduced without going below the point of practical prohibition, with the result that the bill as now presented to the Senate carries some duties below either the protective or revenue basis, while hundreds of them enormously exceed the difference in the cost of production here and abroad, and are greater than the total value of the foreign article laid down in our own ports.

Some of the reductions of the bill are where the duties are below the average, and where the duties are excessive and prohibitory the reductions have been so slight as not to interfere with monopoly and extortion, either by reducing the profits of the manufacturer or by cheapening the price to the consumer. In effect, these reductions are a mere knocking off a part of the surplus of protection, leaving all that is useful to the producer. A majority of the people may be in favor of the protection described in the Republican platform, but I deny that a majority, or any considerable percentage, even of the Republican party, favor the kind of protection provided for in this bill. As an illustration of excessive duties, take the item on wool valued at not more than 40 cents a pound. Of that commodity, in 1907, 3 pounds were imported of the value of 33 cents per pound. The tariff duty is 33 cents—being the actual value of the article—and then 50 per cent in addition. The specific duty equals the total value of the article laid down in New York, and then the committee adds to that 50 per cent ad valorem.

Take the item of yarn made of wool valued at not more than 30 cents per pound; of that 81 pounds, of the value of 26 cents per pound, were imported, showing that the duty is absolutely prohibitive; and the duty is 27½ cents per pound—being 1½

cents more than the full value of the article—and 40 per cent ad valorem in addition.

Wearing apparel, in the woolen schedule, bears an average duty of about 80 per cent. In this country we make \$355,000,000 worth of this wearing apparel, while there is imported only \$141,000 worth of it, showing that this duty is practically prohibitive; and yet, Mr. President, with the declaration of the Republican platform ringing in their ears, the Finance Committee refused even so much as to consider the question of reducing a single item in that schedule.

On woolen cloths the duty on the finer varieties is 71 per cent, and on the cheaper qualities 107 per cent. The duty on cheap woolen cloth is 50 per cent higher than on the finer qualities. There is an obvious discrimination against the plain people of the country, against the people at whose demand this revision is being made and in whose interest it was supposed to be. Why should these cloths pay a duty of more than the entire cost abroad? Under the duty of 107 per cent the cost in our market is more than twice the cost in the foreign markets, where similar goods are purchased. If the effect of the protective tariff were, as its advocates contend that it should be, to reduce, through domestic competition, the prices of protected products, there would be no occasion for such a high duty, which allows the manufacturers to put the price up much higher than the difference in cost of production; indeed, allowing the manufacturer to charge double the cost of the material and also double the cost of the labor.

On fine flannels the tariff is 86 per cent, while on cheap flannels it is 165 per cent. If a piece of this flannel costs abroad \$5, there would be a duty on it of \$8.30, making its cost here \$13.30, in addition to the transportation charges. Why should our plain people who use these low-grade flannels have to pay twice their value—and if the manufacturers do not charge twice their value, what is the reason for keeping these high duties on the foreign article?

Of cloths of wool of the value of from 40 cents to 70 cents per pound we imported 295,766 pounds. The value abroad was \$188,917. The duty, the cash paid to the United States Treasury on the importations, was \$224,597. The cash paid to the foreign manufacturer being \$188,917, the importer paid in cash \$413,514, in addition to the cost of transportation. These goods cost abroad 51½ cents per pound, and here they cost \$1.38.

In the woolen schedule there are 29 articles the duty on which runs over 100 per cent.

Now, to go a little more into detail, wool knit fabrics (not wearing apparel)—I am reading now, Mr. President, from the paragraphs of this bill brought forward from the Dingley law, not one of which has been changed—wool knit fabrics (not wearing apparel) valued at not more than 40 cents per pound are taxed under the present law at 141 per cent, and under this bill at 141 per cent; importations amounting to only \$1 and the tax to \$1.41. On these fabrics, valued at above 70 cents per pound—that is, on the finer quality—the duty under the present law is 95.67 per cent; under this bill the same—95.67 per cent. The duty upon the finer grades of this fabric is more than 45 per cent lower than upon the cheaper grades.

Plushes, valued at not over 40 cents per pound, are taxed under the present law 141.78 per cent; under this bill the same, 141.78 per cent. The duty is prohibitory, importations amounting to only \$32 and the tax to \$45.37. The duty on plushes valued over 70 cents a pound is 95.33 per cent in the present law and is the same in this bill.

So, Mr. President, we have here again, with reference to plushes, the same discrimination against the poorer classes of people, the duty on the lower grades of plushes being about 40 per cent higher than on the finer grades of plushes.

Wool, hair of goat, alpaca, and so forth, and other manufactures, valued at not more than 40 cents a pound, upon which the present and the proposed duty is the same—140.55 per cent—importations being, in round numbers, \$11,000 and the tax \$15,000. Valued at above 70 cents per pound, the duty is 79.44 per cent under the present law and in this bill. The importations show that the duties on both grades are practically prohibitive, but constituting and emphasizing a discrimination against the poorer classes of people. The duty is 60 per cent higher on the lower than on the higher grades.

Cloths, woolen and worsted, valued at not more than 40 cents per pound, being the cloths worn by the poorer people, are taxed under the present law 140.55 per cent and the same under this bill. This duty is practically prohibitive, importations amounting, in round numbers, to only \$27,000 and the tax to \$37,000. These same cloths, valued at above 70 cents per pound, are dutiable under the present law and in this bill at only 94.32 per cent, the duty on these cloths used by the better-to-do people being about 40 per cent lower than on those used by the poorer classes.

Woolen blankets over 3 yards in length, valued at not over 40 cents per pound, pay the same duty under the present law and in this bill—165.42 per cent. These are the blankets used by the poorer people. Blankets used by the better to do, valued at more than 70 cents per pound, carry a duty under the present law of 104.55 per cent and in this bill of 104.55 per cent. The amount of importations show that the duties on both grades are prohibitive, but the tax on cheap blankets is about 61 per cent higher than on costlier blankets.

Wool flannels for underwear, valued at not more than 40 cents per pound, are taxed under the present law 143.67 per cent and in this bill 143.67 per cent, the importations being \$24 and the tax \$34.48. Finer flannels for underwear, valued at above 70 cents per pound, are taxed under the present law 86.37 per cent and under this bill the same, the duty on the cheaper grades being 57 per cent higher than on the higher grades.

Paragraph 376. Wool dress goods for women and children, cotton warp and wool, not above 70 cents per pound, pay 115.53 per cent under the present law and the same in this bill. These goods, valued at above 70 cents per pound, pay a duty under the present law and in this bill of 92.61 per cent. Both duties are practically prohibitive, but the tax is 22 per cent higher on the coarser than on the finer grades.

On wool waste, etc., the present ad valorem equivalent duty is 118.32 per cent, which remains the same in this bill, the duty being practically prohibitive, as is shown by importations of only \$19, upon which a tax of \$22.50 is paid.

The same thing is true in regard to woolen hair. On woolen hair advanced by process of manufacture, valued at not more than 40 cents per pound, the present ad valorem equivalent duty is 149 per cent, and the present bill makes no change, although it is prohibitive, importations amounting to only \$1, and the tax to \$1.49.

Mats, rugs, etc., for floors, are dutiable under the present law at 114.66 per cent, and under this bill at 114.66 per cent. The duty as shown by importations amounted to only \$3, and, of course, is prohibitive.

Carpets. There are 11 grades of carpets enumerated in this paragraph. The lowest equivalent ad valorem duty is 50 per cent and the highest is 114.66 per cent. The present bill makes no reduction in any of these duties.

All of these enumerated woolens, which constitute the clothing of the people, are taxed at an ad valorem equivalent of over 100 per cent, and the tax is not reduced in this bill. There may be a difference in the cost of producing woolens in this country and abroad, but it is idle to contend that this difference exceeds the total market value of the foreign product laid down in the ports of this country.

There are many similar duties exceeding the value of the article, and largely exceeding the measure of protection mentioned in the Republican platform. Concede that the Republican masses are in favor of protecting the woolgrowers and the woolen manufacturers, and that their platform was a command to Congress to protect them to the extent the platform prescribed; it was equally a command, in the interest of the consumer, not to protect beyond that measure of protection.

In the cotton schedule, in which are embraced articles that we ourselves manufacture to the aggregate of more than \$1,000,000,000, and of which the importations are \$31,000,000, the House bill did not lower any duty except on a few numbers of coarse yarn. The Senate Finance Committee raised the rates on some yarns, slightly lowering the rates on others, making the duties on yarns more than in the Dingley law. In nearly every case where there were importations of cotton cloth the duties are increased in this bill.

There is one item of heavy cotton goods, of the value of 31 cents a square yard, of which only 16 yards were imported in 1907, yielding a revenue of 57 cents, the duty being 11 cents. As there were no importations, that duty would seem to be sufficient for protective purposes; but the duty by this bill has been increased to 32 per cent. On certain other cotton cloths, of the value of 18 cents a square yard, the duty has been increased 30 per cent.

Of manufactures of metals we make \$3,130,000,000 worth. We import about \$68,000,000 worth, including iron ores, refuse, and scrap iron. Some of the greatest of our ironmongers state that we make iron and steel cheaper than any other nation, and that there is no need for any protective duties on the articles of that schedule. Some of these unnecessary duties were lowered, but more of them were increased. As a result of the reductions and increases in this schedule, without going into details, the railroads will get cheaper rails, the iron manufacturers will get cheaper iron ore, and the people will get dearer structural materials, cutlery, and tools.

The amendment of this schedule, it is said, is very satisfactory to the steel trust. I have no doubt it is. It is not satis-

factory and will not be satisfactory to the people when they come to understand it, because, while the bill reduces the unnecessarily high duty on rails, it does not reduce it below the point of prohibitive and excessive protection, and they have made that reduction the excuse for increasing the duties on nearly all the articles of steel and iron that the people buy and consume.

On pen and pocket knives and cutlery, valued at over 50 cents and not exceeding \$1.25 a dozen, the duty in the present law and in this bill is the same—93.23 per cent.

Paragraph 153. Knife handles of deer horn, being the cheaper handles, pay a duty of 93.55 per cent under the present law and of 80.45 per cent in this bill, both rates being practically prohibitory, as is shown by importations of only \$11. But, Mr. President, while the duty on knives with cheap handles is fixed at 80.45 per cent, on knives with handles of mother-of-pearl, silver, ivory, and so forth, being the finer grades of handles, the duty imposed under the conference bill is only 47.46 per cent, being 33 per cent less than the duty on cheap handles used by the poorer people.

Irazors valued at less than \$1.50 a dozen are taxed under the present law 56.43 per cent, and in this bill 94.72 per cent, an increase of 67.85 per cent.

Common window glass, not over 16 by 24 inches, the glass used by poorer people, is dutiable under the present law at 71.59 per cent. The present bill makes no reduction. Importations in 1907 were, in round numbers, only \$254,000, and the tax \$182,000, both duties being practically prohibitory.

Window glass, exceeding 24 by 36 inches and not over 30 by 40, used by the better to do, is taxed under the present law an ad valorem equivalent of 87.39 per cent, which is reduced in this bill to 74.48 per cent. The imports, in round numbers, amount to only \$26,000 and the tax to \$19,000.

Plate glass, plain, is reduced under this bill from 155.62 per cent to 100.04 per cent, the importations being \$40,600 and the tax \$40,700. Plate glass, silvered or frosted, above 24 by 60 inches, is reduced from 584.3 per cent to 382.22 per cent. Importations amount to only \$45, and the tax under this bill will be \$172, or about four times the value of the article imported. The bill makes no reduction on the glass used by the poorer people. It reduces the duty on the glass used by the better to do class 3.71 per cent, and on plate glass 31 per cent, leaving the duty on all practically prohibitory, ranging from 71.59 per cent to 382.22 per cent.

Upon minor articles there are numerous duties far in excess of 100 per cent ad valorem. For instance, the duty fixed in this bill upon saccharine is 216.71 per cent; on mineral waters, which require no labor, which gush out of the ground, one of God's greatest bounties to man, used by the sick, the duty is 123.57 per cent; and on buttons for trousers, made of steel, 126.88 per cent.

Linoleum and all other fabrics or coverings for floors made in part of oil or any similar product is dutiable at 20 cents per square yard and 20 per cent.

I hold in my hand a piece of linoleum valued at 17 cents per square yard, upon which the duty is 20 cents per square yard—3 cents more than its entire value—and 20 per cent ad valorem in addition. The total ad valorem equivalent duty imposed is equal to 135 per cent, which is levied in the interest of seven producers in the United States, located in Pennsylvania, New Jersey, and New York.

In this same schedule, to wit, Schedule J, relating to flax, hemp, and jute, and their manufactures, there are 170 reductions which affect imports valued at only \$600,000, while there is a 10 per cent advance in the duty of one item affecting imports of \$5,000,000. The 170 reductions amount to nothing. The one advance increases the cost to consumers of linen more than half a million dollars.

REVISION IN THE INTEREST OF THE HIGHLY PROTECTED MANUFACTURERS AND TRUSTS AND AGAINST THE CONSUMER.

Mr. President, the bill which we are about to pass is not a bill in the interests of those in response to whose demand revision was promised by both political parties. At whose demand, I ask, was this promise made? At the demand of the protected manufacturer? No. At the demand of the trusts? No. They were both satisfied with the Dingley rates. Under those rates they had made great fortunes and established monopolies which enabled them to fix prices. They wanted no change. These opponents of revision constituted the backbone of that "stand-pat" element of the Republican party which fought the demand for revision to the last ditch. The promise of revision was put in both platforms over their protest. From whom, then, did the demand proceed? I answer, from the great consuming masses of the country—from the laborer and the farmer, the doctor, the lawyer, the professional man, and

the clerk behind the desk and the counter, and his employer. It did not come from the thrifless. It came from the well-to-do who, though they were making good money, wages, and salaries, found themselves, on account of the high cost of living, barely able, while seemingly prosperous, to make both ends meet. What was the nature of their complaint and against whom and what was it leveled? Again I answer, it was against the high prices of protection and protection bred and fostered monopoly; against extortion due to overprotection and resultant monopoly.

The work of revision is about finished. All that remains is to call the roll on this conference report. The necessary votes have been secured by hook or crook. And what will be the result? A revision—if this travesty can be called a revision—dictated by and in the interests not of the consumer, not of those who asked for it, but of the manufacturer and trust who opposed and fought it; not of those who complained of high prices, but of those who are responsible for the high prices; not of the complainants, but, if I may so speak, of the defendants in this complaint of the people against the interests.

There are something like 4,000 items in the dutiable list of the Dingley bill. You have changed 837 of these items—revised them. You revised about half of them downward and about half of them upward. The result of your revision has been to slightly increase, rather than decrease, the duties on these 837 items. The other 3,000 and more items you have left untouched. The items which you have revised are comparatively unimportant, with the exception of some "eleventh-hour" reductions of raw materials, made to hoodwink and deceive the people. I know, and you know, Mr. President, and what is more important, the people of this country know, that the reductions you have made offer no substantial relief to those who have asked relief and to whom relief was solemnly pledged, and upon the good faith of which pledge they cast their votes in the last presidential and congressional election.

The few duties you have reduced are not, except in rare instances, the duties of which the people complain. They are not, in the main, upon the things the poor buy. They have little effect upon the cost of living. Most of the duties of which they complained and under which they groaned are on the 3,000 articles which you have not reduced, or upon which your reductions are inconsequential and ineffectual in affording relief. What have you done to relieve the people against the unconscionable duties on woolens, the most indefensible schedule in the Dingley bill, a schedule that has and is robbing the people of millions, to the enrichment of the woolen trust?

There is more tax in woolen goods under the Dingley law and under your bill than there is value in the finished product. No man, woman, or child will get their winter clothes for one penny less by reason of your so-called "revision of the woolen schedule."

You have changed cotton goods slightly, but your changes have rather increased than reduced the cotton fabrics. The people demanded cheaper clothes. They will get dearer clothes. You have made some changes in the glass schedule, but they are slight, and in most instances are as prohibitory as before. You have reduced the duty upon iron ore. The people do not buy iron ore. The manufacturers of steel and iron, headed by the giant trust of the world, buy iron ore. They will get some benefit from this reduction, but not one penny or mill of that reduction will reach the consumer of metallic materials. You have reduced the duty on steel rails. That may help the railroads, who, together with the trust, are special political wards of the Republican party, but it will afford no relief to the people. You have taken the duty off of hides, but you did it not at the instance of the people, but upon the importunities and to help the manufacturers of leather and shoes. Not one penny of this reduction will ever reach the consumer of leather or the wearer of shoes. You claim that you have reduced the duty on shoes. If that reduction applied to the duty on all shoes made of leather it might in the years to come, when Europe learns to make shoes as cheaply as we make them, help the wearer of shoes a few pennies; but it turned out that your reduction is only on shoes made of hides that are not used in making shoes, and if it is not a fraud it is a farce. You have had to promise to correct this error, or whatever you call it, to save your bill. Whatever concessions you have made to the consumers of leather and shoes you have made not for their sake, but in order to secure enough votes to get free hides for the manufacturers. The Senate took the duty off of cotton bagging. That would have been some help to millions of farmers who raise the most important product of the country, the product which gives us our balance of trade, a product which enjoys no protection, but meets all comers in the world's markets; but the conferees have restored the duty on this article and trampled under foot the interests of millions of southern farmers and laborers in order

that the illegal profits and exactions of the jute-bagging trust might be maintained, in order that the infamous conspiracy against the laws of the country may continue to draw its illegal profits from the toiling masses of the South.

You put a tax of 2 cents on dividends of corporations, and when they complained you took off 1 cent of that tax, and to make up the loss in revenue to the Government you put a tax of \$9,000,000 upon the great tobacco industry of the country, the chief burden of which will have to be borne by the tobacco growers of the South. The demand of the people was, and is, for a reduction of high, excessive, extortionate, prohibitive, and monopolistic rates. You have answered that demand by leaving these rates, as a rule, untouched, or but slightly reduced, if at all. If you have touched them at all it has been in most instances only to lop off a little surplus protection, leaving the duties still excessive or prohibitory. You have turned a deaf ear to the demand of the people, but you have dealt generously with the highly protected manufacturers and trusts. You have not only maintained or advanced their protection, but in many instances you have, for their benefit or in their interest, either reduced the duty on their raw materials or put them upon the free list. The trust evil more than anything else created the widespread sentiment in favor of tariff revision, which forced the Republican party reluctantly to promise that boon, which the Republican majority here has turned into "dead sea" ashes. The people believed, and believed rightly, that these unlawful combinations were largely the product of excessive tariff rates, that they were fostered and sheltered by the gratuities and bounties of that system, and if rates were reduced to the standard prescribed by the Republican platform these monopolies could not exist, or, if so, they could not exact from the consumer a price much in excess of a reasonable profit without opening the door to foreign competition.

The promised revision will in a few short hours be completed, and I charge that not a single reduction has been made which will cripple or destroy any trust or withdraw from it the protection needed to sustain and maintain its monopoly.

Mr. President, I have for some time felt that the quicker the curtain was rung down upon this farce the better.

Mr. President, in my votes upon this bill and in my attitude toward it I have been governed by certain definite views upon the subject of tariff taxation. I believe the fundamental principle of taxation, whether direct or indirect, is equality. Equality can not be attained where some things are taxed and some left untaxed. When a given amount is to be raised by taxation, one subject of taxation can not be exempted without increasing correspondingly the levies against some or all of the remaining subjects to the extent of the remitted tax.

If one-half of our imports were admitted free of duty the tariff duty on the remaining half would have to be doubled. The same would be true if half of the taxable property of any State were exempt from taxation. For that reason the rule in the State where the tax is direct is that all property shall be placed upon the tax list and taxed alike. Nothing is exempted except for imperative reasons of public policy.

But a tariff tax, unlike a direct tax, involves both a burden and a benefit. It involves a burden on the consumer and a benefit on the domestic producer in the form of protection to the extent of the tax against foreign competition. This is equally true whether the tax is levied primarily for revenue or for protection. In these conditions, in the interest not only of equality of burdens, but of equality of benefits in levying tariff taxes to supply the Government with needed revenue, justice requires that the dutiable list should be the rule and the free list the exception, and that the free list should be limited to those articles which for reasons of high and wise policy affecting the public welfare should not be taxed. The bill which we are now considering, as well as the present law, has a free list, so to speak, at both ends. So far as its effect upon the revenues of the Government is concerned, a prohibitive tax—that is, a tax so high as to exclude foreign importations—is the same in effect as placing the article affected on the free list; it yields no revenue to the Government, and the revenue which the Government loses by this exclusion, as would be the case were it placed on the free list, must be raised by increasing the tax on some or all other subjects of taxation. Such a tax is indefensible not only on the ground that it is necessarily a high tax levied by the Government solely for the benefit of the domestic producer from which no revenue is received, but upon the ground that while the consumer pays this high tax to the producer of the domestic article he also has to pay a higher tax to the Government upon the remaining subjects of taxation as a result of this exclusion.

Last year we imported merchandise to the value of \$1,400,000,000. From these imports we had to collect about \$300,000,000

to pay the necessary expenses of the Government. We had to collect that amount of money from customs taxes upon this \$1,400,000,000 of imports. An arithmetical calculation will show that if we had levied a uniform ad valorem tax on this whole amount a tax of 22 per cent would have been needed to raise the needed revenue. But under the present law, which is substantially the law we are about to pass, of this \$1,400,000,000 of imports \$690,000,000, or practically one-half, came in free of duty, and to obtain the amount of revenue needed an average duty of 44 per cent was necessary. The fact that the consuming public got one-half of these articles free did not relieve them of the tax; it simply transferred it to the remaining articles. When we consider the effect of this enormous free and prohibitive list we can not fail to see the part they play in concentrating the benefits of protection in the hands of the few.

Under Mr. Clay's so-called "American system" (of which the Republican protective system is but an evolution), devised to promote our manufacturing interests in the early days of our freedom, when we were struggling for commercial independence, under his Whig tariff in 1840-41, 49 per cent—practically one-half—of our imports were on the free list. That was a highly protective measure. It was framed largely upon the lines of our present tariff law, and, like it, carried an enormous free list. In striking contrast the Walker tariff, framed upon Democratic lines, carried a small free list. The free list of that great Democratic measure hardly covered one-half a page. After eight years of Democratic administration under this bill in 1854 only about 9 per cent of importations came in under a free list, and the average duty on the other 91 per cent of importations ranged around 20 per cent. In the interest of equality in burdens and incident benefits, this rate was distributed over all the subjects of taxation with approximate uniformity.

Again, Mr. President, I do not believe there is any place in the Democratic theory of a tariff for revenue for the doctrine of free raw materials. If the object of a tariff is to raise revenue, why levy that tariff on the finished product and not on the raw material out of which it is made? One would not raise more revenue than the other. If the object were to protect labor, or a certain kind of labor, such as is employed in making the finished product, that would furnish some reason for the discrimination on the theory that a larger per cent of the finished product is labor, or that a different class of labor is required in producing the raw material than that required in producing the finished product.

But the Democratic party repudiates the suggestion that its primary purpose in levying taxes is to protect anybody or anything, or that it discriminates in its tariff legislation between the labor employed in the field, in the mine, and in the logging camp, and that employed in the factory. It repudiates the idea that it discriminates between the dollar invested in agriculture, in mining, in lumbering, and the dollar invested in manufacturing industries. If the Democratic party wanted to help the over-protected manufacturer and trusts in their scheme of selling their goods cheaper to the foreigner than to the home consumer, it might aid them in that selfish scheme by putting the farmer and the landowner's raw material on the free list, but the Democratic party does not confess to a desire to promote such an unpatriotic discrimination. The consumer is indeed entitled to lower prices than he now pays for the finished products he buys, but if this must be accomplished through the tariff there is no reason why the man who has the raw material should bear the burden of the whole reduction or a disproportionate part of it. If cheaper raw materials meant cheaper manufactures, the consumer might be benefited by putting raw material on the free list, though the producer of those materials would thereby suffer. But that result would not follow if the contention of the Democratic party, that the price of highly protected manufactures is regulated, not by the cost of production but by the amount of tariff, is correct. If our position upon this question is sound, and it undoubtedly is, the sacrifice upon the altar of free trade of the farmers' and landowners' raw material will not inure to the benefit of the consumer, but will only increase the manufacturers' profit by reducing his cost of production, while his selling price, arbitrarily fixed, remains unchanged.

If all the raw materials—iron, coal, hides, and so on—over which the conferees have been haggling for over two weeks, and which, we are told, the President demanded, should go on the free list, should be placed on that list and admitted free, the Government would lose about \$30,000,000 in revenues, which the people would have to "make good" by higher duties on other articles, such as clothes, food, and so forth. The manufacturers and trusts who use these raw materials would reap the benefits in cheaper cost of production, while the protection accorded them will enable them to maintain unimpaired the price of the finished product.

Mr. President, the Democratic party is not in favor of exposing the American producer, whether farmer, manufacturer, or laborer, to unrestricted foreign competition. Nor will the application of its doctrine of tariff for revenue, given its correct and traditional interpretation, lead to any such result or deny the home producer an equal chance in our markets with his foreign competitor. Besides what we now raise by internal-revenue taxes we have to raise an additional \$300,000,000 or more to pay our bills and keep the Government going. This could be raised in several ways: First, by direct taxes levied against the States and apportioned according to population. Under this method the State of North Carolina, which I have the honor in part to represent on this floor, would have to levy, collect, and pay into the Federal Treasury somewhere around \$7,000,000 annually. This would treble our present rate of state taxation. Secondly, we could raise it by increasing internal-revenue taxes and enlarging the subjects of that taxation. That would lead to inquisitions and vexations and would fill the land with revenue officers. Third, we could raise it by taxing articles not raised or produced in this country, such as tea and coffee, and so forth. That would be the English free-trade system. Lastly, we can raise it by our present method of import taxes levied as well on articles produced as not produced in this country. This is the method we have employed in raising revenue to support the Government throughout all our history. To raise this additional revenue by this method, if there were no free list at all, upon the basis of last year's importations of \$1,400,000,000, an ad valorem rate of 22 per cent would be required. Necessarily these duties, although imposed for revenue only, would incidentally protect against foreign competition all domestic articles embraced in the schedules.

While the Democratic party is in favor of a tariff for revenue, it has never, in doctrine or in practice, shut its eyes to the differences in economic and industrial conditions of labor and production here and abroad. It has never shut its eyes to the fact that there are many things which can be made, raised, or produced for a less cost somewhere else than here, and it has never framed and passed a tariff bill yet, and never will, in my judgment, which altogether loses sight of these differences.

Incidental protection is inherent in the tariff system, and if we raise our revenue in this way we can not avoid this result except by confining our tariff levies to things not produced in this country. That would, of course, be free trade in its most objectionable form, and would expose the products and industries of this country to unrestricted foreign competition, Asiatic as well as European.

The state papers and writings of Jefferson, Madison, Monroe, Jackson, and Polk all agree with the suggestion that these unequal economic and industrial conditions should be taken into consideration in adjusting our tariff duties. If in the past it was wise and expedient to consider these differences, it is surely no less so now, when the struggle for international trade between the industrial nations of the world is fiercer than ever before, when each is seeking to invade the markets of the other, and when each is striving to reduce the cost of production to the minimum in order to get advantage in this great international contest for trade. Duties should be levied for revenue, but they should be adjusted so as to give the greatest incidental protection where it is most needed to equalize unequal conditions in production here and elsewhere, and to give to our domestic producers at least an equal chance in our own markets with their foreign competitors. The principle upon which duties are levied should be applied impartially to all industries in all parts of the country. It is abhorrent to my common sense, as a practical man, that a law which is to be applied to all the people and to every part of the country should be framed on different and maybe opposite principles. I can see nothing but injustice and wrong in a tariff measure which applies free trade to one line of our industries, or the industries of one section of the country, and the principle of protection to another line of our industries, or the industries of another section of the country. Such a measure would work a double injustice in its application to the different sections of our great and widely extended and diversified country. It might, and in many respects would, not only deny to the less-favored section the benefit of the natural advantages possessed by it, but it would in the end inevitably reduce the section discriminated against to a state of commercial subjection to the section in whose favor the discrimination is made by confiscating its natural advantages and reducing it to a position of commercial feudalism.

Mr. BEVERIDGE. Mr. President, whatever anyone may think about the provisions of this bill, one thing is certain, and that is that this is the last tariff legislation that ever will be passed by

present methods, or rather lack of methods. I have thought all the time that this was true, but that thought became a certainty when on yesterday I was reassured by the statement of the Senator from Rhode Island [Mr. ALDRICH] as to his interpretation of that provision of the maximum and minimum clause which authorizes the President to employ experts to aid him and the officers of the Government in the administration of the law. That statement was frank and reassuring, and to the extent to which it went, of course, was very highly pleasing to me.

About one year and eight months ago I introduced in this body a bill for a tariff commission, which I have reintroduced this morning, and I wish to take a few moments' time to say why I have reintroduced it. I think, in view of the statement of the Senator from Rhode Island on yesterday, and to his references heretofore to myself as having participated in the drafting of the original provision in this bill which authorized the President to employ experts, I should make a brief statement of the history of that provision.

When the bill was introduced a year and eight months ago, it is common knowledge that it had few, if any, supporters in the Senate and the House, although it was more largely supported by the business men of this country, by manufacturers, by farmers, by stock raisers, and by other producers than perhaps any other fiscal measure ever presented in Congress. But the mere merits of the measure were such that the movement grew, and converts to the idea were added here in Congress with great rapidity. The occurrences of this session have of themselves furnished an unanswerable argument why such a body of men should be provided for to assist Congress in such work as has claimed our attention for the past few months. At the beginning of the session it did not appear to me that we would have sufficient strength to pass the original bill which I presented a year and eight months ago; and so the Senator from Rhode Island, who agreed that some such provision should go in the bill, prepared a draft and submitted it to me. It was not as broad as I thought it should be, and at his suggestion I took it and prepared another draft, which was broader than he thought it should be. So this process of drafting and counter-drafting lasted for about two weeks, and finally the draft was prepared as it passed the Senate, with the exception of one sentence. That one sentence was:

And such persons shall have power to examine witnesses under oath, and to compel the production of books and papers.

To that one sentence the Senator from Rhode Island would not assent, nor would I agree without it, until after conferences with the President as to his construction of this language, and his opinion of the power which it gave him, I finally did agree to it.

So it was that if I had been present when the amendment of the Senator from Iowa [Mr. DOLLIVER] was presented for a tariff commission, I should have asked him not to have presented it, because, in my view, the language that passed the Senate, if it had this additional sentence, giving the power to examine witnesses under oath and compel the production of books and papers, would have enabled the President, if so disposed, to create a commission or board of experts more powerful, more ample, for this great and necessary work than that even provided for in my bill.

That is the history of it down to the time it passed the Senate. In view of the fact that the Senator from Rhode Island yesterday stated what his construction is of the power of the President under the language as it now stands in the conference report, perhaps it is wise at this juncture to read just what the conferees took out. The language of the provision as it finally passed the Senate and went into conference is as follows:

To secure information to assist the President in the discharge of the duties imposed upon him by this section and information which will be useful to Congress in tariff legislation and to the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same.

It will be seen that this language was as inclusive as any possible bill that detailed and specified their duties could be. But the first thing, according to the public press, the conference committee did was to take out this language: "and information, which will be useful to Congress in tariff legislation." How it could be that any Senator or Representative could object to having useful information furnished him was beyond me then; it is beyond me now.

But later, not satisfied with that, the duties, the powers of these men, were stricken out; in other words, the following language was eliminated:

To make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same.

So that finally, as it appears in the report, all there is of this provision is "to secure information to assist the President in the discharge of the duties imposed upon him by this section"—that is, the maximum and minimum—"and the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required."

When I saw that, it appeared to me that it limited the power of the President to make this provision useful in merely the ascertainment as to whether foreign countries were discriminating against us or not. That it was so intended appeared by the statement of the Senator from Maine [Mr. HALE] the other day. But on yesterday morning the Senator from Rhode Island [Mr. ALDRICH] made the following statement:

The inclusion of the words was a compromise between the two Houses. I will say to the Senator from Nevada, of course with due deference to his judgment to the contrary, that the provision contained in the bill itself is even broader than it was in the Senate, in my judgment.

That is, according to this interpretation, which the Senator from Rhode Island says has the sanction of the President of the United States and his interpretation, that these few words are broader than if they had included the words "and information which will be useful to Congress in tariff legislation," and the other important words stricken out.

The Senator from Rhode Island continues:

It allows the President to employ whoever he pleases *without limit* and to assign such duties to them as he sees fit within the limitation of the maximum and minimum provisions and to assist the customs officers in the discharge of their duties. Now, these two purposes, especially the latter, cover every conceivable question that is covered by tariff legislation.

Mr. NEWLANDS. May I ask the Senator whether the provision as it comes from the conferees and is contained in the conference report will warrant the President in appointing men who will inquire into and ascertain the difference in the cost of production at home and abroad of the articles covered by the tariff?

Mr. ALDRICH. *Unquestionably it will*, for the reason that under the law, as it will pass in a few days, I hope, the home valuation as well as the foreign valuation of goods is a matter which has to be determined by the customs officers, and that involves, of course, all collateral questions. I have no doubt myself that the provision as it now stands is, as I have already stated, *even broader than the provision* which passed the Senate.

Later on the Senator from Rhode Island said that he violated no confidence whatever in saying that this also was the view of the President of the United States.

So, Mr. President, it appears that if this view be correct, if this interpretation as given by the Senator from Rhode Island, and perhaps more broadly held by the President of the United States, should be justified by the law and fulfilled by events, and if Congress should see fit to give to the President to carry out his provisions any appropriation for which he may ask, all that might have been done under a tariff-commission bill can and will be done under this provision.

So, Mr. President, in introducing the bill this morning for a tariff commission, or, rather, in reintroducing it, it is not for the purpose of pressing it unless it develops that in the practical working of this brief provision of the present bill it is found that the President can not do what it is now believed he can, or unless Congress should fail for any reason in giving him the appropriation necessary to carry out his interpretation of it as given by the Senator from Rhode Island. If for these or any other reasons that provision is not executed according to what we understand is the correct interpretation of it, then the bill for a tariff commission would necessarily have to be pressed, and I give notice now that it will be pressed.

Because, Mr. President, as I said a moment ago, this is the last tariff legislation, and it is historic in this, that ever will be passed in this country without the aid of information carefully and accurately gathered by men competent to perform that particular service—information digested, sifted, tested, and arranged, and laid before Congress for its use. There never will be, and there never can be, further tariff legislation by present methods. There never will be, and there never can be, more legislation of this important kind, affecting not only all the business of the country, but the livelihood of every man, woman, and child in the Nation, under such circumstances as all of us have passed through.

So whether it be under this provision or whether it be under a provision which circumstances of the future may compel, one thing is now determined, and that is that a tariff commission, or a board of experts—it is immaterial what you call it, I am concerned only in the results—will and must be established, and future fiscal legislation of this character will be predicated upon the scientific, accurate, and businesslike work of that body of men appointed for that purpose.

Mr. President, there is another reason, a reason that the manufacturers and business men of this country, as well as the stock raisers, farmers, and other producers of the Nation have more

in mind than we seem to think here, and that is the absolute necessity of enlarging our foreign trade. It is a singular circumstance, and one that is more or less appalling, that while Germany has a niggardly soil, not much larger than Texas, with only a window on the North Sea, and with fewer than half of our population, whereas we have 7,000 miles of coast line, with magnificent harbors, commanding two oceans, unrivaled resources, and a vast and growing population, and a people whose energy and resourcefulness are not equaled in the world, yet Germany is selling abroad to-day ten finished manufactured articles where we are selling one.

I do not want to go in detail into that comparison or the reasons for it, but one reason for it is the perfection of Germany's tariff. Germany, prior to Bismarck, inclined to a tariff for revenue only. Then Bismarck induced them to take up the American protective tariff, and it did there the same work it has done here. It developed their resources; it built their mills; it employed their people; it diversified their industries. But when all that had been accomplished and they needed foreign trade, the German, with his studious mind, improved upon what we had done.

They made the first maximum and minimum tariff, which with them is the conventional and autonomous tariff, and they prepared their tariff law itself by the same methods by which great German business houses are able to so accurately do their business. Connected with the great German factories there is a sort of little institution where experts—it is almost a school—are constantly employed. So every phase of that business receives the most careful and minute attention. So Germany appointed her great tariff commission. I suppose everybody is familiar with the work of that commission and how it is that the German tariff law is made. I do not want to take up the time, but perhaps in three or four sentences I can make a résumé of it.

The present German tariff was built upon the work done by the German tariff commission of 32 men. Those 32 men were the best men that were to be found in the Empire for that work. They were appointed utterly and absolutely regardless of any political consideration. Those men in the course of the investigation consulted more than 2,000 technical trade experts.

When they got through with that work they knew all that those 2,000 technical experts themselves knew. They investigated every industry in the Empire. Then, Mr. President, they formulated the bill. The bill was then sent to the Government. The Government first submitted it to the department which is similar to our Department of Commerce and Labor, so that it might be examined from that point of view; then to its foreign department, so that it might be examined from that point of view; then to its treasury department, which represented, of course, the collection of revenue, so that it might be examined from that point of view.

Mr. ELKINS. Mr. President—

Mr. BEVERIDGE. I will yield in just a second. Then, Mr. President, after that it was sent by the Government to every State of the German Empire, who took about a year to examine it and return it to the Central Government with their suggestions. Then it was submitted to the Reichstag, where it underwent more careful examination than either our committee of the Senate or House that handles our bills have given this one. Then it was reported back to the Reichstag, debated fully, and passed.

Of course nobody is contending, because it is not a practical thing, that a commission or a board of experts here should do so perfect a work as that, so accurate, so scientific. It will probably take us twenty-five years before we can catch up to that point of development. It is a very curious thing, one of the most curious circumstances, I suppose, in all our development, that, whereas we have improvements in machinery, whereas we are the most progressive nation of the world in invention in every line, we are slow to improve our methods of government.

Mr. ELKINS. I should like to interrupt the Senator.

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Indiana yield to the Senator from West Virginia?

Mr. BEVERIDGE. Certainly.

Mr. ELKINS. I am beginning to come around to the Senator's tariff-commission notion, as far as we will be permitted to do it. But I do not want Congress to abdicate our function entirely.

Mr. BEVERIDGE. I never proposed that. I never proposed that Congress should abdicate any function whatever. That statement is one of those familiar catch words with which men attempt to defeat a measure without examining into it. My original tariff-commission bill, I will say to the Senator, if he

has not read it, does not provide, as I stated in my speech, which I think the Senator honored me by hearing, about a year and eight months ago, that the commission shall frame a bill, but that it shall act for Congress exactly as the Senator's secretary acts for him, that it shall be our assistant, that it shall prepare information, and lay it before us for our consideration.

Mr. ELKINS. I think while that has some advantages, it would permit discriminations against localities and certain classes of industries that we can not escape when we are making a tariff in Congress. It seems impossible to frame a tariff bill without perpetrating injustices and discriminations against certain sections, interests, and industries.

Mr. BEVERIDGE. No one denies that that is true under present methods.

Mr. ELKINS. If a tariff commission would cure those things, I should heartily favor it.

But, Mr. President, the Senator from Indiana observed a while ago that Germany was making rapid strides toward extending her trade and commerce all over the world—that is true—and that with but a very small coast line, and we are not increasing ours as rapidly as we should. I believe that is the case; but Germany is the most highly protected country in the world. It is claimed by many that we want raw materials free and our products cheaper, so that we may extend our commerce. Is that the way to extend trade and commerce, by making goods cheaper, because Germany goes ahead, though she is so highly protected that we can not with many things invade her market at all?

Mr. BEVERIDGE. The first answer to the Senator's question is—

Mr. ELKINS. On agricultural products—

Mr. BEVERIDGE. I will give the Senator some information. The first answer to the Senator is that the way to make a protective tariff is to make it absolutely just and to make it perfectly intelligible. The second answer is that the Senator is completely mistaken when he says that Germany, which is the most intelligent protective tariff country in the world, is the most highly protective tariff country in the world. That is not the case; it does not happen to be the fact. Her general tariff is very much below ours. The Senator from West Virginia is misinformed. That is very much, I will say to the Senator—and then I want to get through—

Mr. ELKINS. What is the average of the German tariff?

Mr. BEVERIDGE. I can not state offhand what the average is; but that brings to my mind another thing.

Mr. ELKINS. On certain articles Germany is more highly protected than we are.

Mr. BEVERIDGE. I doubt that; but speaking of the system of Germany compared with ours as a whole, it is tremendously below ours. That is a matter of fact.

That brings me to another point. I do not want to have a debate, because I am making a little statement here, and I want to get through. The point is this: The Senator asked me—I have given some little study to this—what the percentage was. I could not answer at the moment, but the German tariff commission can answer offhand what any of their rates are, and answer offhand what any of our rates are, or the rates of any other country with which she deals. That is not true as to a single member of either committee of either House of Congress that deals with this question. There is no criticism of them because they could not do it—I will show that in a moment—but it merely demonstrates how archaic, how curiously behind the times our methods have become. It is one of the strangest things in the world that whereas we make progress in everything else as to the necessities or the interests of life, yet the inertia of the human mind resists the simplest and most necessary improvements in government which are demanded by the changing conditions and relations of the world.

Mr. ELKINS. Will the Senator allow just one further question?

Mr. BEVERIDGE. Certainly; I want to be courteous, but I did not expect to speak this long.

Mr. ELKINS. The German tariff in the aggregate is perhaps a little lower than ours, but Germany admits all agricultural products free, because she must have them.

Mr. BEVERIDGE. That is not the case at all. Pardon me. I do not want to get into a debate, but I must stop the Senator right there because he has made a most extraordinary mistake in that statement. The one defect, perhaps, in the German tariff is due to this—I see the Senator is not familiar with the fiscal situation in Germany—

Mr. ELKINS. The Senator from Indiana never lets me finish anything I want to ask him.

Mr. BEVERIDGE. Because you get wrong. What the Senator stated is not the case. The agrarian party in Germany

has grown so strong, and is to-day so strong, that they were dominantly influential in having protective duties put upon their agricultural products, and that is the only defect—

Mr. ELKINS rose.

Mr. BEVERIDGE. I hope the Senator will let me get through. I want to conclude.

Mr. ELKINS. If you take the things Germany does not produce, such as agricultural products, meat, wheat, corn, and so forth, when she puts them at the lowest rates or puts them on the free list that reduces the average.

Mr. BEVERIDGE. But she does not—

Mr. ELKINS. But, outside of those things, Germany is the highest protected country in the world. I have no objection to that, but I want to know how the Senator from Indiana can reconcile the increase in her commerce when she is the most highly protected on things she sells abroad when they come into Germany, and how can we extend our trade by making things cheaper here if Germany extends her trade by making them higher?

Mr. BEVERIDGE. The Senator from West Virginia has asked that question three or four times. The answer to it is, first, that his premises are utterly incorrect. The Senator is misinformed. Germany's tariff is not nearly so high as ours. There is not a statement he has made concerning the German tariff that is accurate. I do not blame the Senator for that. It is just exactly such lamentable misinformation concerning the tariff situations of the world, as well as our own, that I want to correct. That is one of the things that is changing this whole method.

The Senator is incorrect about it. There are four things which, more than anything else, contribute to German industrial progress. The first is a tariff. That is the most important in any country's trade. The second is her banking system; the third is her technical schools; the fourth is her methods of manufacture and of doing business, which she applies, as we do not, to her governmental functions.

That is such a large subject that we might take three or four days of debate on Germany alone. I want to get on, but here is Japan. Japan has a tariff commission, and she has been bounding in her domestic trade and foreign trade perhaps faster than any other country but Germany.

I have given Germany's method of making her tariff. A few years ago, as everybody knows, the great movement in England began for the abandonment of what Balfour, in a wonderful series of stump speeches—the best I ever read on fiscal reform—described as “the moth-eaten and out-worn system of tariff for revenue only.” That system has been abandoned by every nation in this world, excepting only England, Turkey, Persia, China, Abyssinia, and some other countries like the latter.

Balfour and Chamberlain are leading that movement. They gave exhaustively and learnedly the reasons for it. Balfour and Chamberlain proposed that Great Britain should have a modern protective system, including the maximum and minimum system. I would say to the Senator from West Virginia, what I have said several times during this debate, that protection ought to be intelligent protection and just protection. The Senator seems to think when we have a rate 200 per cent too high, if some person wants to reduce it to within 50 per cent of what is right, that he is not a protectionist.

Mr. President, that great movement in England is rapidly speeding toward a victorious conclusion. Indeed, that movement has made more rapid progress than any similar movement in any modern country, much more rapid than the corn-law movement, which established what Balfour and Chamberlain and other first of British intellects now declare to be “the moth-eaten and out-worn system of tariff for revenue only.” It is probable that within the next two or three elections they will succeed. The business interests of Great Britain are overwhelmingly behind it.

They foresaw that if they were to win Parliament and should want to enact such a law they would be absolutely unable to do so without having all the facts prepared in advance. They thought that it would be impossible to enact an intelligent tariff law under our system of not having any information at all, except such as is hastily gathered. So the business men of Great Britain, out of their own pockets, are paying for one of the ablest and most carefully selected tariff commissions on earth. That commission has been at work for about three years. It is headed by one of the greatest economists of the English-speaking world. It has a corps of experts, and their work is being done thoroughly, so that when the party is victorious they will have a bill based on the facts.

Mr. President, what are our methods? Our methods, whether we enact a tariff for revenue only or a protective tariff, are

equally lamentable for the same reason. A board of experts is just as necessary for the enactment of an intelligent tariff for revenue only as it is for the enactment of a protective tariff. The reasons will occur to any persons who are familiar with what a purely revenue-tariff rate should be.

How do we frame our tariffs? We have no tariff revision here, Mr. President, until the demands of the people become so great that the people force a revision at an election. After that has been determined upon, the thing is sped forward with all possible haste. The word is "hurry, hurry, hurry;" the word is "business waits;" the word is "let us get through;" and so our committees of Congress meet, and they have what are called "hearings." At these so-called "hearings" representatives of interests who want protection or who want reduction of duties appear, quite properly, and give testimony. Necessarily every one of those representatives is better informed than any member of the committee who is working upon this subject only once in ten years. So there is a mass of information and a mass of misinformation. In the present case more has been collected than ever before in our history; and yet all of us have had experience with those red volumes under our desks, and it is impossible to tell sometimes whether a statement is true or whether it is not. It is almost impossible to find out where the information is. In no case is it complete.

So that this general, undigested, vague, uncertain mass of information is hurriedly and loosely gathered by these committees. They can not do the work; they have not time to do the work; they are not especially equipped to do the work. I shall ask the privilege of inserting in my remarks the names of the members of the Finance Committee of the Senate and a list of the other committees of which they are members.

In framing a tariff bill we are supposed to take into consideration every item in the tariff bill and every industry in this country in relation with every other industry in this country and in relation with the foreign trade of the world, the tariffs of other nations, and many other elements that I will not take the time to name. That is the theory; that is what those committees are supposed to do; and yet, if they did this work and devoted themselves exclusively to this work, they could not do the work that they are doing on the other committees of this body and of the other House.

When I insert in my remarks, and the Senate comes to read, the important committees on which the members of the Finance Committee—all of them able men—are serving, and when we reflect that every one of them is a very industrious man, we will see that it would be a physical impossibility and a mental absurdity to suppose that they could do this work, even if they spent all their time at it. So we must have a commission, merely because necessity has driven us to it. I ask permission to insert in the RECORD the list to which I have referred.

The PRESIDING OFFICER (Mr. JOHNSON of North Dakota in the chair). In the absence of objection, permission is granted.

COMMITTEE ASSIGNMENTS OF FINANCE COMMITTEE.

ALDRICH: Finance (chairman), Interstate Commerce, Rules.
 BURROWS: Privileges and Elections (chairman), Expenditures in the Interior Department, Finance, Naval Affairs, Philippines, Post-Offices and Post-Roads.
 PENROSE: Post-Offices and Post-Roads (chairman), Commerce, Education and Labor, Finance, Immigration, Naval Affairs.
 HALE: Appropriations (chairman), Naval Affairs, Census.
 CULLOM: Foreign Relations (chairman), Additional Accommodations for the Library of Congress, Finance, Coast and Insular Survey, Expenditures in the War Department, Interstate Commerce.
 LODGE: Philippines (chairman), Civil Service and Retrenchment, Finance, Engrossed Bills.
 McCUMBER: Pensions (chairman), Census, Expenditures in the Interior Department, Indian Affairs, Finance, Interoceanic Canals.
 SMOOT: Printing (chairman), Claims, Forest Reservations and the Protection of Game, Finance, Pensions, Public Health and National Quarantine, Public Lands.
 FLINT: Interoceanic Canals (chairman), Audit and Control the Contingent Expenses of the Senate, Education and Labor, Irrigation and Reclamation of Arid Lands, Finance, Pacific Islands and Porto Rico, Public Lands.
 DANIEL: Private Land Claims (chairman), Appropriations, Finance, Education and Labor, Industrial Expositions, Library, Transportation Routes to the Seaboard.
 MONEY: Additional Accommodations for the Library of Congress (chairman), Finance, Agriculture and Forestry, Audit and Control the Contingent Expenses of the Senate, Expenditures in the War Department, Foreign Relations.
 TALIAFERRO: Corporations Organized in the District of Columbia (chairman), Census, Coast Defenses, Finance, Cuban Relations, Interoceanic Canals, Military Affairs, Pacific Railroads, Pensions, Post-Offices and Post-Roads.
 SIMMONS: Coast Defenses, Commerce, Cuban Relations, Examine the Several Branches of the Civil Service, Expenditures in the Department of Agriculture, Finance, Interoceanic Canals.
 BAILEY: Revolutionary Claims (chairman), Census, Expenditures in the Department of Justice, Finance, Fisheries, Irrigation and Reclamation of Arid Lands, Privileges and Elections, Rules.
 Mr. BEVERIDGE. Now, Mr. President, another curious thing. We have seen, driven to it by necessity, that we could not

get along without commissions in other things. A little after I had introduced the tariff commission bill, I arose and asked the Senator from Rhode Island, as chairman of the Finance Committee, whether he would consent to the appointment of a monetary commission. He immediately answered that he would, and expected that to be done. That was not resisted by anybody on the floor, even with a single word, excepting the learned and venerable Senator from Colorado, Mr. Teller, who said he was rather opposed to commissions of any kind. Yet that bill passed and a comprehensive monetary commission has been established. The whole business world and all the people acclaimed it with applause. They saw that it was the sensible thing to do. We have a chaos of financial laws, a series of absurd compromises. The truth is that we are without a financial system—a modern scientific system. So the American people, upon the grave and important subject of their money, saw, if we are to become modern, if our financial system is to be adequate to our needs, that it must be carefully studied by a commission of men especially qualified and appointed for that purpose.

Yet, Mr. President, the tariff, because of its infinite details, is not only more intricate, but almost as important as our financial affairs. If, then, it is necessary to have a monetary commission, how much more—I will make my statement moderate and say how equally—necessary is it that we shall have a tariff commission.

Some few years ago the gravity of the question of immigration and its quality became very great. It presented not only such an industrial, but such a sociological, problem that Congress found it absolutely necessary, and the people demanded, that accurate information should be gathered upon which our immigration laws could be based. That perhaps in its humanitarian aspect and in the future of our Nation is more important than either of these other questions, because that deals with our blood and our future men and women, and this deals only with our business and with our money. So, in answer to that demand, Congress established, without a dissenting voice, the Immigration Commission.

I know a little bit about its work, but not much. We all know the head of that commission, the distinguished and beloved senior Senator from Vermont [Mr. DILLINGHAM]. We listened at the last session to his admirable presentation of the report of that commission. Its work is excellent, as I am sure the work of the Monetary Commission is going to be. Nobody objected to that, even in Congress; and yet when a tariff commission to handle a more difficult problem than immigration, a tariff commission to handle equally as difficult problems as our fiscal system and much more intricate, was proposed—and proposed because it was demanded by the business world of this Republic, by more producing interests in formal resolutions than ever backed any law—we, curiously enough, had opposition. But the happenings of this session and the earnest desire of every Senator to get the facts, the difficulty of doing so, and the confusion of even the most studious, have proven that it is now, as we knew it was before, but were not willing to admit, absolutely a necessity. It is for this reason, Mr. President, that the assurances of the Senator from Rhode Island yesterday as to what could be done under this provision and what the President intended to do, which could even be more broadly confirmed if necessary, were so pleasing to myself and, I think, to every friend of a tariff commission here.

Let me give still another illustration. I was in the Senate when the Department of Commerce and Labor was proposed. I very well remember that one of the ablest men in this Senate, one of the most venerable and one of the most respected, said in conversation that such a new department of the Government as that was nothing short of revolution. Yet the demands of the people and the necessities of the business of the country compelled us to create it; and nobody regrets it now. It is an indispensable arm of our Government.

In that department there is a Bureau of Corporations. I am aware that many people, who have reason to be, are irritated at its work. It has made the most searching investigations. Senators will recall the revelations that it afforded to the Nation concerning some unbelievable misdeeds of great business enterprises, which we had formerly supposed were the model corporations of the world. There is no necessity for my pointing them out; I do not want to take the time to do that. Does anybody suppose that the American people would ever consent now to the abolition of the Bureau of Corporations in the Department of Commerce and Labor? And yet what it has to study is simple compared with the study of the tariff question. The same is true of the Bureau of Labor.

Again, Mr. President, there is the Interstate Commerce Commission. I remember reading when I was a younger man than

I am now the debates, so far as I could get them, concerning the establishment of the Interstate Commerce Commission. It went through about the same process of development and it has about the same history in its inception that the proposition for a tariff commission has had. The Senator from Illinois [Mr. CULLOM] was the father of that great measure. That one act, which perhaps is one of the five most important statutes passed by the American Congress, is enough to distinguish his name in the annals of our lawgivers forever. I at that time lived in the State of Illinois and was very proud of him—my pride in him then equaled my affection for him now.

By various decisions of the courts its powers were limited. But finally, by additional legislation, it has now grown to be the great and increasingly useful body that it is. I should like to see any man, I should like to see any party propose the abolition of the Interstate Commerce Commission, and yet it started out chiefly as a bureau for the gathering of facts; or, at least after, I believe, the first decision, that was about all it amounted to down to recent days.

My recollection, which is not precise nor definite, is that by reason of certain decisions it ceased to be useful, as it is now useful by reason of additional legislation, and its function was confined to gathering information. Yet to this day one of its most useful functions is to collect information and lay that information before Congress in its report. Mr. President, if that was necessary, I make again the same analogy, How much more necessary is a tariff commission?

It has been said, Mr. President, that one of the objections to this would be that it would disturb business. The answer to that is that the world has had experience in that. German business is more intricate than our own, because the nation is more condensed and there are many elements that enter into business there that make it much more complicated and difficult; and yet the work of the German commission, extending over six years and with its conclusions published, not only did not disturb German business, but German business thrived as never before.

German business was reassured because it knew that the German tariff would be founded on facts, not representations. The same work now being done in England is not disturbing English business in the least. The progress of Great Britain toward a protective system, her abandonment of tariff for revenue only, her preparation for the coming of a protective tariff, and all the work of the commission, of which I have spoken, is not only not disturbing British business, but it is steadying it.

Again, in Japan a tariff commission has now been at work for five years. It is scheduled to make its report and the Diet is scheduled to enact a new Japanese tariff in 1911. There is not a ripple on the surface of business. I could go on with several other countries, but there are three—one a Teutonic people, one an Anglo-Saxon and mixed people, and another an Asiatic people. If I took up for illustration France, I should add a Latin people; and if I took up Italy, another Latin people. You can not get a broader group of people than that, and yet among none of them has an intelligent proposition for tariff legislation disturbed business in the least. It is one of the apprehensions that, I have no doubt, honestly exist in the minds of some men, but at the same time it is purposely used by other interested parties to scare away any reform that ever is proposed in the methods of business.

Mr. HEYBURN. Mr. President, I should like to ask the Senator a question, with his permission.

Mr. BEVERIDGE. Very well.

Mr. HEYBURN. The Senator has referred to a number of countries where they have tariff commissions, but those tariff commissions fix the tariff. Would the Senator look forward to the day when a tariff commission in this country might fix rates?

Mr. BEVERIDGE. No; it has not been proposed even. That is one of the most curious things in this debate. A year and eight months ago I introduced the bill providing for a tariff commission. The first thing I said was that it was not proposed by the bill to do one thing that Congress ought to do. There the bill was. It provided merely for a commission to collect information and report it. The commission was to be a sort of secretary to Congress; it was to do the work for us that we ourselves can not do and do not have time to do; and yet the first objection that I heard was that I was actually trying to take away from Congress the power of fixing rates. That is perfectly absurd, because it is false, and, with the bill itself before us, it had no excuse. So it not only was false, but ridiculous. Yet it was repeated time and again by those we have been taught to believe without question.

I cited the formation of the commission of 1882, and I was met with the statement that it was perfectly useless; that its

work was thrown into the wastebasket. I thought that was so remarkable that I looked up the work of that commission. That commission did suggest rates to Congress, which is what I do not propose at all in the bill I have introduced—

Mr. HEYBURN. Mr. President—

Mr. BEVERIDGE. Pardon me; and I will satisfy the Senator, I think. It also proposed a reclassification, and it also proposed new tariff machinery. I was curious to ascertain if the work of that commission—and its work was done in a very limited time—had been entirely futile, as we were told that it was. It did not have much opportunity, but it did a great deal of work; it traveled a great deal, and took very much valuable testimony. I find, upon comparing the law that we passed in 1883 with the rates as suggested by the commission—and I have laid them before Congress, and they are in the Record of last year—that Congress actually adopted about 90 per cent of their rates unchanged; it adopted their classifications practically without an alteration; and, what is more, it adopted their administrative machinery.

That classification, with immaterial changes from time to time, has remained to this day. That is the only scientific classification that we have ever had. If the Senator will look over our tariffs since the civil war down to that tariff, he will find that, as a matter of fact, we did not have any classification until 1882; it was a jumble, and it could not well otherwise be. That classification of 1882 was a pretty good thing at that time.

Nearly a generation has passed since then, and, of course, the hurry—the necessary hurry, perhaps—of tariff legislation, the alterations in the classification are mighty few, and not made with reference to any general scientific arrangement. That was the result of a commission in that instance; and if the Senator has never studied the German tariff, I would advise him, just as one of the most charming pastimes he could have, to get a copy of the German tariff and look at its classification—simple, plain. There is no human being who deals with Germany who is in any doubt at all about what he may do under their tariff. Germany wants trade; she is not trying to keep out trade; she wants foreign commerce.

Mr. HEYBURN. Will the Senator permit me to make a suggestion, or to ask him a question?

Mr. BEVERIDGE. It is not true that a single one of those commissions fixes rates. I formerly went into that at length. But I want to take my seat; I do not want to weary the Senate, and I did not expect to speak this long by any manner of means. I only expected to make this statement concerning the statement of the Senator from Rhode Island on yesterday.

Mr. HEYBURN. Just one question.

Mr. BEVERIDGE. The Senator has asked me the question, "Did they not all fix rates?" No; it is not so. The Reichstag of Germany fixes the rates. The legislative bodies of every country fix the rates.

Mr. HEYBURN. But they are authorized to recommend, and their recommendation is adopted.

Mr. BEVERIDGE. No; they are authorized to recommend; but their recommendation is or is not adopted, as the legislature decides. But my bill does not propose to permit the commission even to recommend rates.

Mr. HEYBURN. I should like to ask a question, but I do not wish to bother the Senator. Does the Senator contemplate that, like the Interstate Commerce Commission, this commission would develop into a court with final jurisdiction?

Mr. BEVERIDGE. Oh, no, Mr. President; I am not going to indulge in dreams or other forecasts.

Mr. HALE. Mr. President—

Mr. BEVERIDGE. Just a moment, and I will yield to the Senator. It is not that at all. According to my notion, I should doubt whether that, perhaps, could be done under our Constitution. There has got to be one thing done, though, and that is, we have got to find out the facts concerning every article upon which we make rates; for we make rates, not for a particular business only, but we make the rates for the 90,000,000 of people who use it. Can the Senator conceive why anybody should object to having the most ample facts found out and reported to Congress? Is the Senator opposed to knowing the facts? The Senator from West Virginia [Mr. ELKINS] asked me if it was not true that there have been sections of the country discriminated against in this bill. I said that probably is true, and it would be true of any bill that was made under these methods of tariff legislation; but if the facts were gathered, that could not be unless we wanted to do a deliberate injustice, and no Senator, of course, would think of doing that.

Mr. HALE. Mr. President, will the Senator from Indiana allow me to ask the Senator from Idaho a question?

Mr. BEVERIDGE. Certainly.

Mr. HALE. When the Senator from Idaho referred to what this commission should do, to what body did he refer as a commission? Does the Senator believe that any commission is provided for in the tariff act?

Mr. HEYBURN. I hope not.

Mr. HALE. Did the Senator refer to any body or to any organization or to any commission as though it had been created by the tariff act?

Mr. HEYBURN. I did not, but I was referring to the commission proposed, as I understand it, by the measure presented by the Senator from Indiana—

Mr. HALE. Yes.

Mr. HEYBURN. Upon which we have not acted.

Mr. HALE. And only to that.

Mr. HEYBURN. Yes.

Mr. HALE. I so understood it.

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. I am delighted that the Senator from Maine sees what the Senator from Idaho does refer to.

Mr. HALE. When the Senator shall have concluded, I wish to call the attention of the Senate to the legislation which is provided in the tariff bill, and which in terms as clearly and distinctly as language can be framed excludes the idea not only of any tariff commission, but of any authority on the part of any officer of the Government to deal with the subject of a tariff commission, or with the questions which might properly come under a tariff commission, with rates of labor abroad, and all other subjects-matter which might be comprehended by the measure proposed by the Senator from Indiana, but which are in terms absolutely excluded by the tariff legislation.

Mr. BEVERIDGE. That was my fear—that that was the truth. But the Senator from Maine evidently was not here yesterday when the Senator from Rhode Island, the chairman of the Finance Committee, in explaining what some thought was the emasculation of the provision, but what he thought was not, stated what powers he believed remained under a true interpretation of the language. Ardent advocate as I am of a tariff commission, I would not, independently of that and of the opinions of men whose opinions I respect much more highly than I do my own, have gone into the interpretation thus far. It differs with that of the Senator from Maine. I remembered the statement of the Senator from Maine the other day, and I called the attention of the Senator from Rhode Island to it at the time. He said that the Senator from Maine was not correct in his opinion.

I simply introduced the bill, I will say to the Senator from Maine, as I said when I had the honor to begin my remarks, in the hope that the opinion of the Senator from Rhode Island is correct, that these experts would be appointed and that this work would be done, and that the appropriations would be forthcoming. If so, the bill which I reintroduced, which was rather the modest bill of a year and eight months ago, will not be pressed; but if it turns out for any reason this was not the correct view of it, then the bill will be pressed, and with that notice I was about to take my seat when I was engaged in controversy.

Mr. CLAPP. Will the Senator pardon me?

Mr. BEVERIDGE. I will pardon anything in the world from the Senator from Minnesota.

Mr. CLAPP. Does the Senator think the statement of the Senator from Maine is any clearer than the language of the bill itself? I was glad to hear the Senator make the statement.

Mr. BEVERIDGE. You mean the Senator from Rhode Island.

Mr. CLAPP. The Senator from Maine.

Mr. BEVERIDGE. Oh!

Mr. CLAPP. Although it can not add to the clear and positive exclusion from this bill of the subject discussed and considered as a part of a tariff commission investigation.

Mr. BEVERIDGE. Whatever I may think of the many excellent qualities of the language of the Senator from Maine, it always has the supreme excellence that it is clear.

I know that a great majority of the Senate to-day is for a tariff commission. I know that a majority of the House are. I know there are Senators here who will not agree with me about that, but it is true. I further know it is meeting the unanimous, persistent, organized demands of the great business bodies of this country. They have taken action upon it. They have put themselves upon record. What is more, it is the determined will of the American people.

I wish to say further to the Senator from Maine, for his information, that when I introduced this measure a year and eight months ago, I was aware it did not have many friends, possibly two or three in this body and fewer in the House. At the beginning of the session that was the case, and that was the

reason why I finally consented, having been honored by being consulted in the preparation of the provision in the bill, to so limited a thing as that, although, after reviewing its powers, before these words were taken out, I think it gave the President broader powers than the bill itself. But the events of this session, the difficulty of Senators earnestly searching for the truth in finding the sources of it, the almost impossible labors to be performed to make any sort of a balance as to what was right and what was wrong, have converted Senators on this floor.

I have one with my vision who at the beginning of this session met me in a friendly way and reproved me very severely indeed for entertaining what all the business men of this country, the great majority of them, considered a necessity. That Senator thought that the commission idea was preposterous. He thinks differently now—he now is as earnestly for it as I am. I remember his language, which was somewhat picturesque as well as rather warm, although in a friendly way which I appreciated, and yet that very man—and I have several others whom I see around me—became convinced by the exigencies of this session that a tariff commission is absolutely essential.

Mr. HALE and Mr. CUMMINS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and to whom?

Mr. BEVERIDGE. In a moment. It was absolutely essential for the doing of our work. There is a member of the Senator's own committee, the Committee on Finance, that very able, that very industrious man, the Senator from North Dakota [Mr. McCUMBER], who in his remarkable speech upon the lumber schedule stated that we would hereafter have to have a commission. That came from the Senator's own committee.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield, and to whom?

Mr. BEVERIDGE. Of course I yield.

The PRESIDING OFFICER. To whom?

Mr. HALE. It is almost impossible—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Maine or to the Senator from Iowa?

Mr. BEVERIDGE. I yield to the Senator from Maine and then to the Senator from Iowa. They have been upon their feet. I have been rather discourteous in keeping them up.

Mr. HALE. I know the Senator did not want to be discourteous.

Mr. BEVERIDGE. No.

Mr. HALE. But it is impossible to stay the torrent of the Senator's eloquence to interject a question, which is rather the habit and practice of senatorial debate.

What I wanted, at the time when the Senator was declaring the conversion of the Senate to the idea of a tariff commission and alleging the steady march made in the House in that direction, was to say to him that in conference, wherein the House was represented by old and distinguished Members of that body, the conferees on the part of the Senate met most deliberate and obdurate objection to any form of a tariff commission or a revival of the subject in any form or in any way that would tend to keep the matter open. The attitude of the House and the attitude adopted by the conference, which is embodied in the provisions of the bill, absolutely exclude not only the idea of a tariff commission, but of any authority to be given to the President in any way to open the subject by investigation himself. The language can not be plainer than that.

I wanted to say to the Senate and to the Senator that when he is declaring that not only the Senate but the House has been converted to the idea of a tariff commission, the conference found, setting aside the attitude of Senators, that the House was obdurate in everything against that, in every form.

After the Senator is through I shall have something to say in regard to it.

Mr. BEVERIDGE. With reference to the Senator's interpretation of this provision, of course the Senator from Rhode Island should be here, because the debate should be with him upon that point. Whether or not the conferees upon this subject represented what I feel is the majority, certainly the growing opinion of both the Senate and the House is another subject which I suppose it is proper for me to comment upon. I was speaking from my own knowledge of the attitude of Senators on both sides of the Chamber, and I speak further from the expressions, publicly made, of Senators who were most determined against this proposition at the beginning of the session, and I think it is very creditable to them that it should be so. I know of no reason why the Senate and the

House should not respond to this business necessity when it is demanded by the intelligent conclusion, after long discussion, of the great producing interests of this country.

Let me say that one of the greatest of these is the National Stock Raisers' Association. They have been so insistent upon it that they have kept one or two very distinguished men, one of whom was our respected former colleague from Kansas, Senator Harris, on the stump for a year and more past. Great associations of business men in the Senator's own State and in every other State have favored it. The Senator will remember that last year there were presented great numbers of resolutions in favor of it, and it would be no discredit to the Senate and the House if they should respond to that advancing thought of the people.

Mr. CUMMINS. Mr. President—

Mr. BEVERIDGE. I yield.

Mr. CUMMINS. I observe that my friend the Senator from Rhode Island is not here, and I rise to defend him somewhat and to keep this as straight as possible. The Senator from Indiana, in his usual pleasant and agreeable way, may create the impression that the Senator from Rhode Island really thought there was something in this bill that would enable the body of men to be employed by the President to make an examination, such as is in substance provided for in the bill of—

Mr. BEVERIDGE. I read the Senator's words. I did not comment on them.

Mr. CUMMINS. It matters not. I want to emphasize, however, the scene of yesterday. We might just as well understand, as it seems to me, that this bill annihilates every suggestion of a tariff commission. It was intended to annihilate it.

Mr. HALE. It certainly does.

Mr. CUMMINS. It surely does. I do not believe in honeyed words. I believe in looking things squarely in the face.

You will remember that while the Senator from Rhode Island upon being interrogated yesterday attempted to avoid unduly ruffling the feelings of those who were in favor of some form of tariff commission, and seemed in the first instance to pledge his efforts in the future to an appropriation of money or such use of the money then being appropriated as would carry forward this work, I asked him specifically what he meant by the use of this money to carry out the policy that was then being discussed. I asked him what the policy was, and he answered with the utmost frankness that it was the policy of this bill, the tariff bill about to be enacted.

I knew the Senator from Indiana would be glad to ally the distinguished Senator from Rhode Island upon his side, but I do not want the people of this country to understand that the Senator from Rhode Island has any sympathy whatsoever with a tariff commission or with the work which is proposed in the bill now offered by the Senator from Indiana. The Senator from Rhode Island may be right; the Senator from Indiana may be wrong. I am with the Senator from Indiana.

I believe profoundly in this advance, in this reform, in the creation of a tariff commission; but let us not beguile ourselves with this vague idea that the men who composed the present tariff law have any sympathy with a tariff commission. It is a fight yet to be made, and we are just now entering upon it. It will be one of the great struggles of the future, and we will have to convert such men as the Senator from Maine and the Senator from Rhode Island. We will have to do a very large proselyting business before we get them into our camp, I believe.

I have profound faith in the argument for a tariff commission, and I have yet some lingering expectation that these distinguished gentlemen will be found under this banner some time in the future. But let us know that they are not there now, and that this bill, upon which we are about to vote, is the death knell of a tariff commission, unless the policy contained in it be reversed.

Mr. BEVERIDGE. I regret to say that the Senator from Iowa probably is right. Certainly the Senator from Maine almost makes it clear that he is not. [Laughter.]

I can think that perhaps the gentlemen who represented the House in the conference might almost be persuaded to possibly cast their votes against it—Mr. DALZELL and Mr. PAYNE. So I can think the Senator possibly is right. When I rose I said it was not my intention to push that bill, if the interpretation of the Senator from Rhode Island put on this language, upon which I did not comment, except to say that it was very reassuring, was carried out. But if he is not right in his interpretation, if he is not right as to the President's powers under it, if Congress should refuse to give the appropriation necessary, if it should be found in practical experience that this was not to be and could not be done under this language, if, in short, it should be ascer-

tained that the views of the Senator from Maine are right, then the bill will be pressed.

I do not agree with the Senator from Iowa that the fight is still to be made. I think much of the fight has been made. I think that is demonstrated by the almost universal attitude of the American press upon this subject, by the opinion of every trade journal upon it (excepting that of the American Protective Tariff League), by the resolutions put on record from the great producing interests of this country—stock raising, agricultural, manufacturing—upon this subject; by the resolutions presented from boards of trade, praying in the name of their business for this necessary business legislation.

Much of the fight has been waged already. But if it should turn out that nothing can be done under this law, such as the Senator from Rhode Island yesterday said could and would be done under it, then if anybody is of the opinion that the fight is going to stop for a moment, let him now be undeceived.

I have said that I did not intend to press this bill unless the Senator from Rhode Island should prove to be incorrect, and if he is incorrect, either in his interpretation or as to the event itself, those who have been making the fight thus far, of whom one of the most distinguished is the Senator from Iowa, will know how fearlessly to carry it to a victorious conclusion.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. BEVERIDGE. Certainly.

Mr. CUMMINS. I do not want the Senator from Indiana to misunderstand me. I believe the fight has been largely made for the people of the United States, and I believe that a very great proportion of them want a tariff commission. When I said the fight was but just begun, I meant the fight in the Senate of the United States, where, unfortunately, the idea which is so popular among the people of the United States has not been so well received.

Mr. BEVERIDGE. To show the junior Senator from Iowa and to demonstrate to the Senator from Maine by concrete figures that the situation in the Senate is not nearly so bad from my point of view or so good from the point of view of the Senator from Maine, I will say that when the senior Senator from Iowa a few weeks ago offered the bill which was offered some years ago by the Senator from Rhode Island it was defeated by only two votes in the Senate, although all the efforts of what is known as "the organization" were brought to bear to defeat it, and although, as I am informed, it was defeated finally only by the statement of the Senator from Rhode Island that it was understood that I did not propose to amend the provision of the Senate bill any further. Even then it was defeated by only two votes. I know three Senators, and one I am looking at now, who said to me that they voted against that merely on that account. If in the midst of the heat of a tariff discussion, with the powerful, able, and determined men in what is known as "control of the organization" against this proposition, throwing all their weight against it, a tariff-commission bill more far-reaching than mine came within two votes of carrying, and certainly would have carried under other circumstances, according to the testimony of three Senators to me in person, I should say the outlook was pretty good, especially in view of the fact that when it was introduced a year and eight months ago I do not suppose it could have mustered three votes in the whole Senate. That is pretty good progress. Does not the Senator from Iowa think so? I think so.

Mr. NEWLANDS. Mr. President—

Mr. BEVERIDGE. I should like to get through.

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Nevada?

Mr. BEVERIDGE. I yield. I had no idea when I began that I should be on my feet ten minutes. I only wanted to state what I would do.

Mr. NEWLANDS. I have been in the Chamber for only a few minutes, but I assume that the tariff-commission plan has been under discussion.

Mr. BEVERIDGE. I have made a feeble attempt to discuss it.

Mr. NEWLANDS. And the Senator from Maine has given his interpretation of the minimum and maximum clause under which the Senator from Rhode Island declared yesterday it was within the power of the President, through his appointees, to ascertain the cost of production at home and abroad of the articles covered by the tariff act.

Mr. BEVERIDGE. The Senator from Maine did most certainly, in very clear and precise and unmistakable language, give his interpretation.

Mr. NEWLANDS. I understand the Senator from Maine differed in his construction with the Senator from Rhode Island, and that he emphatically stated that the purpose of the conferees in eliminating the language inserted by the Senate in this provision was to deprive the President of that power. Am I correct in that statement?

Mr. BEVERIDGE. You are correct in that statement. I do not presume to say nor do I think it is proper for me to say what the Senator from Maine did say; but what he said was very clear and unmistakable.

Mr. HALE. If at some remote period of time I shall gain the floor I will attempt to show what is the force of the present provision in the tariff bill on this subject. I have not gone into that at length, but when the Senator shall have concluded and other Senators shall have concluded, I certainly will state my position on that matter.

Mr. BEVERIDGE. I will say, with reference to the remote period of time, that I shall hope it will not be remote, but very early, and I will say to the Senator, in apology for detaining the Senate as well as himself, that he knows himself, as long as he has been here, that I have been kept upon my feet largely by the engaging and welcome interruptions of other Senators.

Mr. NEWLANDS. In that connection I trust the Senator from Maine will explain how it was that the conferees on the part of the Senate so easily yielded to the conferees of the House against what was the expressed will of the Senate as shown repeatedly in the debate.

Mr. BEVERIDGE. Mr. President, I have concluded. I did not know that this statement—which at the outset must have appeared to everybody to be intended to be exceedingly brief and an expression of an intention as to what would be done in the future in case certain interpretations put upon this language by the Senator from Rhode Island yesterday should not be correct, or in practical operation should not be correct—would be so protracted. But it has been prolonged as other statements here frequently are. I might conclude with this remark. I think I mentioned it once before—not more than once, which I think is doing pretty well: While we are perhaps the most progressive people in the world in our industrial methods, in the improvements we make, in the inventions we devise, in the daring of our scientists and business men into undiscovered ground, in the simplification of the methods of business, the efficiency of machinery, and all of our intellectual activities of every kind, it is one of the most peculiar facts in the history of the world that we are backward in improving our methods of government.

I do not mean in changing our fundamental law. I mean in the adoption of such a necessary instrument of legislation as this. If we have a monetary commission, an Interstate Commerce Commission, an Immigration Commission, there are more reasons for a body of experts in this line, whose sole business it shall be to find out the facts which Congress itself can not find out satisfactorily in the time given them; and it has seemed to me incomprehensible that there should be any resistance to that idea. Only the inertia of custom is a sufficient explanation. There are others that might be given, but I never indulge in those. I do not think the present methods are adequate.

I am sorry the Senator from Maine, since he is going to express his views upon this subject, could not have found it possible to have been here and heard the few reasons I have advanced for this legislation. They are not hard to understand. They take in the history of our legislation on the tariff in the past, the history of this movement in every other country in the world, what has been the result of it in every other nation in the world, the absolute necessity for it as a just and indispensable piece of fiscal legislation.

Mr. President, it appears to me, in conclusion—and I apologize to the Senate for taking so much time; I never thought I was going to take so much when I rose—that we, the youngest of the nations, should also be in our legislation the most advanced of nations. We lead the world in inventions. We lead the world in all improvements of every kind excepting matters of government.

Why should we stubbornly refuse, or, to use the word of the Senator from Maine, "obdurately" refuse—a word which he applied to the action of the House conferees—to adopt this method which has been found essential in the preparation of tariff legislation in all other modern nations, and which this session has demonstrated is necessary for intelligent and just tariff legislation here? Why should any man of any party object to having all the facts upon which any legislation must be based?

Mr. HALE. Mr. President, for the last two or three days I have been engrossed in the consideration of the very important

urgent deficiency appropriation bill; I have been engaged in conference upon that bill, which has a great many provisions of marked and general importance. This has kept me from the Senate Chamber. I drifted in here a little while ago and found the discussion proceeding upon the proposition of the Senator from Indiana [Mr. BEVERIDGE] for a regularly organized tariff commission.

Mr. President, I look upon all discussion at this stage as academic, and while interesting not profitable. The merit or the demerit of the tariff bill, which I assume will soon become law, no man can forecast in its effect on the public. Whether it will be accepted, whether prosperity will follow in its wake, and business will revive and labor be employed, and instead of men going about the streets unoccupied and clamorous they will be engaged in the different and diversified businesses of the country no man can tell. I can not tell. The Senator from Texas [Mr. BAILEY], who faces me, and whose mind is constantly brought in attention to this matter, can not tell. The Senator from Indiana [Mr. BEVERIDGE], with all his power of forecasting and with his estimate of the tremendous progress that his ideas have made in the last six months, can not tell about the future.

But one thing is certain, Mr. President, and that is that when this bill passes and is put to the test of public sentiment, and shall work out its own way, to its own credit or its own ruin, the American people for ten years, notwithstanding the declaration of the Senator from Indiana that everybody is for a tariff commission, will look with marked impatience and will frown at any project or any plan or any tribunal that will disturb business conditions.

That is the foundation of the objection and the opposition that has been made and is being made and will be made to any tribunal that shall, when this matter is settled by the bill, in any form, by any authority, seek to open all the questions that the tariff settles. That is the foundation of the objection and the opposition that is made to the revival of a tariff commission.

The bill must take its course. The bill must take its place with the American people, for good or for ill. I believe that it will be followed by a revival of business, by an acceptance by the American people of its provisions, and that the murmuring and the discontent and the prophesying of evil will die away in the course of the next year.

But I have lived long enough, Mr. President, to know that I may be wholly wrong. It may be just the reverse. If it is, it is not any tariff commission that will settle this question in the future. It will be Congress that will settle it; it will be the House primarily and the Senate secondarily; and no tariff commission will add one ounce of weight to the deliberations of the two bodies which must at last settle all these questions.

That is the foundation; that is at the bottom of the legislation which is incorporated in the tariff bill. Language can not be plainer. As it went to conference this was the language:

To secure information to assist the President in the discharge of the duties imposed upon him by this section, and information which shall be useful to Congress in tariff legislation—

Mark—

and to the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same.

Even with that language I entered my protest that it did not cover the scheme of a tariff commission, and that if it did, with the unsettling result of any tariff commission, the constant agitation, the constant keeping of the subject open before the American people, I would not vote for it.

But in conference that provision was revolutionized, and everything in it that contemplated either a tariff commission or the keeping open of the subject-matter was deliberately, by the conference, stripped from its provisions and excluded.

To secure information to assist the President in the discharge of the duties imposed upon him by this section, and information which will be useful to Congress in tariff legislation—

Mr. BEVERIDGE. Will the Senator allow me?

Mr. HALE. Certainly.

Mr. BEVERIDGE. I thank the Senator. When I began my remarks I called attention to the language that was stricken out and to the language of the chairman of the Finance Committee, which perhaps the Senator has not read, as to what is meant by the language that was left. It is very brief, and if it does not interrupt the Senator, it might perhaps help him to understand what I was talking about if I were to read what the Senator from Rhode Island said. If it is agreeable, I will read it.

Mr. HALE. Certainly.

Mr. BEVERIDGE. Thank you. It was in answer to a question by the Senator from Nevada:

Mr. ALDRICH. The inclusion of the words was a compromise between the two Houses. I will say to the Senator from Nevada, of course with due deference to his judgment to the contrary, that the provision contained in the bill itself is even broader than it was in the Senate, in my judgment. It allows the President to employ whoever he pleases without limit and to assign such duties to them as he sees fit within the limitation of the maximum and minimum provisions and to assist the customs officers in the discharge of their duties. Now, these two purposes, especially the latter, cover every conceivable question that is covered by tariff legislation.

Mr. NEWLANDS. May I ask the Senator whether the provision as it comes from the conferees and is contained in the conference report will warrant the President in appointing men who will inquire into and ascertain the difference in the cost of production at home and abroad of the articles covered by the tariff.

Mr. ALDRICH. Unquestionably it will, for the reason that under the law, as it will pass in a few days, I hope, the home valuation as well as the foreign valuation of goods is a matter which has to be determined by the customs officers, and that involves, of course, all collateral questions. I have no doubt myself that the provision as it now stands is, as I have already stated, even broader than the provision which passed the Senate.

I thought the Senator would like to have me read that.

Mr. HALE. Mr. President, I am very glad to follow the Senator from Rhode Island. None of us in the conduct and the management of this bill could have added anything to the distinguished ability which that Senator has displayed on this floor. I realize that. But I do not, Mr. President, in the slightest degree agree with the proposition that this provision, as embodied as the result of the conferees' deliberation, is either a broadening of the original Senate proposition or is in any way committing Congress or the legislation embodied in the tariff bill to that proposition. It is precisely the reverse. You can have nothing that shows more clearly the intent of the provision than the striking out of the words "and information which shall be useful to Congress in tariff legislation." That was not done unadvisedly; it was not done in the dark; it was not done with any doubt as to what its purpose was.

But the Senate conferees found the House conferees a rock against any form not only of tariff commission, but of any authority that should be given for any officer of the Government to keep this subject open. The intention was to dispose of it and settle it by the provision, and not only was that stricken out, but the other clause—

To employ such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same.

Were the conferees blind and deaf? They certainly were not dumb, because they expressed their views in striking out of the provision the authority to be given to the President to go into that subject-matter, and they limited the President in terms to this:

To secure information to assist the President in the discharge of the duties imposed upon him by this section and the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required.

Language can not give a more restricted scope to the authority on the part of the President under this provision. What is that authority, Mr. President? What is the business of the President under the maximum and minimum provision? It is not to inquire into the condition of labor in other countries the relative cost of labor there and here. He is limited to an inquiry as to the discrimination that is made by other countries against the United States. He so understands it. I understand that he so understands it. I do not believe and I do not expect and I do not fear that the President would seek to amplify this authority.

Mr. CLAY. With the Senator's permission, while on that subject, as I understand the maximum and minimum feature of the bill, on the 31st day of March 25 per cent additional duties will be added to all the items in the bill unless the President of the United States should issue his proclamation exempting the nations doing business with us from this increase.

I presume the Senator is familiar with the views of the President, and I presume it will be the President's intention to exempt all nations from the operation of this 25 per cent additional taxation unless those nations actually discriminate against our country.

Mr. HALE. That is true.

Mr. CLAY. Otherwise the maximum rate would make the bill very much an increase over the existing law. I should think at least that the President intends to exempt all the nations doing business with us from this taxation unless they discriminate against us by their tariff laws.

Mr. HALE. The Senator has expressed the whole scope and range of that proposition. It is not whether labor costs more

in another country than in this country. It is not whether they have enormous rates of taxation. If they have the same rates of taxation against us that they have against other countries and there is no discrimination, that is all the President is to inquire into. If he were to send abroad men to take into account the conditions of labor and the cost of labor, there would never be any end—

Mr. CLAY. Will the Senator allow me?

Mr. HALE. I wish the Senator would let me complete my idea. The President has nothing whatever to do with that subject. No matter how extreme a tariff measure may be, no matter what the rate of labor may be, no matter how absurdly high the rate of another country is, if it is the same against us as it is against all the world, the President has no power over that, and has no right to examine into it. He has nothing more to do with that question than the question of the corporation tax or the proud march of the waterways commission, which has captured the imagination of the Senator from Nevada. He deals simply with the question under this provision of discrimination. Does not the Senator from Texas [Mr. BAILEY], who studies all these subjects, see just as plainly as I do that that is the intention? So it has become settled.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nevada?

Mr. HALE. I do not want to take up much of the time of the Senate. I drifted in here and did not know this debate was going on. I did not know even what had been said in debate yesterday until the Senator from Indiana called my attention to it. I must in that express my absolute dissent from the interpretation the Senator from Rhode Island has given, as just read by the Senator from Indiana. The committee did not intend that, Mr. President. The committee used plain language, and it did not mean to use language that would be construed other than plain language. The committee was united, not only the House conferees, but all agreed to this proposition.

When this subject came up, Mr. President, as it did in the urgent deficiency bill, I went over this whole question with the President as to his scope of duties. I showed to him that it was not intended to keep this subject open, but to confine him to the question of discriminations, discriminating duties and discriminating processes by other powers. In framing the language of the item of appropriation that gives the President the amount of money that he asked it has been confined strictly to the language I have recited as a part of the tariff act. I have no fear the President will undertake to exceed that. I do not believe that he will. I am in favor of giving him the money.

And, Mr. President, the President has a very hard task. He has burdens between now and the 31st day of March, 1910, and so have his officers under him. The officers of the State Department, the Attorney-General, and other officers have burdens and responsibilities and negotiations such as have never been, imposed upon any President. The conferees did not mean to amplify those so that it would be impossible to execute them. Under the terms of this enactment, which are clear and plain, the President, between now and the 31st day of March, in conducting these negotiations and getting this information, will have no undue hours of sleep. The Secretary of State will have little opportunity for the leisure that business men and public men require in order to maintain their proper health and proper power of work. Every one of them will be overworked under the provisions that we have put in here. The urgent deficiency bill limits the appropriation in that way, and that was adopted unanimously by the conferees of the two bodies.

I did not mean to speak, Mr. President; I had no thought of it when I came in here—

Mr. NEWLANDS. Will the Senator permit me to ask him a question?

Mr. HALE. But I could not permit it, Mr. President, to go unexplained with nothing said, when it is intimated that we are committed and may be committed to a policy on the part of the President that will open this whole subject.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nevada?

Mr. BEVERIDGE. Will the Senator permit me a moment?

Mr. HALE. I yield first to the Senator from Nevada, and then I will yield to the Senator from Indiana.

Mr. NEWLANDS. I wish to ask the Senator from Maine whether it is his purpose in shaping the conference report upon this subject to prevent the President from ascertaining in any case the cost of production at home and abroad of the articles covered by the tariff act?

Mr. HALE. He has nothing whatever to do with that.

Mr. BEVERIDGE. Mr. President, will the Senator yield to me?

Mr. HALE. Certainly.

Mr. BEVERIDGE. With reference to the last answer, that is what I understood the Senator from Maine to say the other day. The difference between the interpretation of the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Maine [Mr. HALE] is very clear and positive.

Mr. HALE. I had not seen that until the Senator read it; but it does not change my attitude.

Mr. BEVERIDGE. I understand that perfectly well. I will say to the Senator from Maine that what the Senator from Rhode Island understood about this was the view I had taken of it myself, and I was very much reassured.

Mr. HALE. It was the view of all the conferees; and I am surprised that any other theory should have been advanced.

Mr. BEVERIDGE. But it was advanced by the chairman of the Finance Committee and of the conference. I will make things clear. I was reassured, and pleased, as every friend of or believer in this necessary aid to legislation was, when the broad interpretation was put upon it yesterday by the Senator from Rhode Island. Precisely the question that the Senator from Nevada [Mr. NEWLANDS] asked the Senator from Maine [Mr. HALE] a moment ago, was asked the Senator from Rhode Island yesterday about the ascertaining of the cost of production here and abroad, and again I read. The Senator from Rhode Island responded:

Mr. ALDRICH. *Unquestionably it will, for the reason that under the law, as it will pass in a few days, I hope, the home valuation as well as the foreign valuation of goods is a matter which has to be determined by the customs officers, and that involves, of course, all collateral questions. I have no doubt myself that the provision as it now stands is, as I have already stated, even broader than the provision which passed the Senate.*

I am quite willing to say, however, that so far as I was concerned, and so far as the Senate conferees were concerned, we tried our best to have the language kept in as it passed this body.

Mr. President, I had not in any way quoted the President, nor had I myself attributed to the President any interpretation whatever. I have never done that; I have never felt that I was in any position to do so; but on that point I called the attention of the Senate and of the Senator from Maine—although I would have much preferred to have kept that question out of the discussion—that it was introduced by the Senator from Rhode Island himself yesterday on his own motion, in the following words, after I had myself asked him whether that interpretation that he gave did not differ from that of the Senator from Maine, and he said:

Mr. ALDRICH. I did not happen to be present when the Senator from Maine made a statement on the subject, but I am stating my own views, which are clearly carried out, in my judgment, by the language used in the act.

Then he further stated, in answer to the Senator from Nevada, this:

Mr. ALDRICH. I think I can say, without betraying the confidence of the President, that the views which I entertain are also the views entertained by the President of the United States.

Mr. President, the views of the Senator from Maine as to what this language means I had been inclined to believe to be correct; I mean as to the extent of the power under this clause. But abler, more experienced, more learned, and more responsible men than myself, notably the chairman of the Finance Committee, interpret it quite otherwise. So I rose this morning and reintroduced the tariff-commission bill, stating that if his interpretation was to prove correct and that interpretation was carried out, then, of course, the American people would have secured what they had demanded, a board of experts to find out these facts; but that if it did not—as I feared the language was not broad enough to enable it to do so—if it did not prove that broad, or if the event showed that nothing could be done under it, or if Congress should fail in an appropriation for it, then the tariff-commission bill will be passed, but otherwise it will not.

I call the attention of the Senator from Maine again—I am sorry I did not give him the genesis of my poor and intentionally brief remarks at the beginning—to this language of the Senator from Rhode Island, which, he said, was the opinion of every Senate conferee, and then further went on, on his own motion, without being questioned regarding it, and said it was the opinion of the President himself.

I have not quoted the President at any time; and I make it a practice never to do so, either privately or publicly. It is too great a responsibility. I do not criticise others who do so, but I do not. The Senator from Maine will admit that this lan-

guage of the Senator from Rhode Island was rather reassuring to those of us who believe in this method of legislation.

Mr. HALE. Altogether too much so.

Mr. President, bearing upon the agitation upon this subject, and the action of outside bodies and of associations urging a tariff commission, I meant to put in the RECORD and have read by the Secretary the circular which I send to the desk, which shows in a way the methods that are behind the Senator from Indiana [Mr. BEVERIDGE], not that he has anything to do with them, and the agitation and the determination to force a tariff commission at one time or another upon us. This is headed:

Headquarters executive committee of the general committee of one hundred for a tariff commission, appointed by national convention held Indianapolis, Ind., February 16, 17, 18, 1909.

If I mistake not, the Senator from Indiana contributed to the interest on that occasion by a few impromptu remarks that he submitted. As showing the methods of this organization and the view that such associations have of Congress, and of the responsibility of Congress, I ask the Secretary to read this circular, which they have distributed as a part of their campaign for a tariff commission. I ask Senators to listen to it carefully.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Headquarters executive committee of the general committee of one hundred for a tariff commission, appointed by national convention held Indianapolis, Ind., February 16, 17, 18, 1909.

CHICAGO, April 22, 1909.

To the committee of "one hundred" and delegates to Indianapolis convention.

GENTLEMEN: As you have been previously advised, it will require approximately \$25,000 to put a tariff-commission law upon the statute books.

Mr. HALE. Think of that!

The Secretary resumed, and concluded the reading of the letter, as follows:

The executive committee have the machinery in operation to secure the ends sought, but unfortunately funds are not coming in in volume sufficient to pay for this machinery.

It is absolutely essential that we have money at once, and I would therefore urge your personally interesting yourself in the matter and secure an appropriation through your organization or otherwise for the support of the movement.

All funds should be sent immediately to Mr. Henry R. Towne, treasurer, care of Merchants' Association of New York, 66-72 Lafayette street.

Advices from Washington are to the effect that the next two weeks will decide the question, and we absolutely must push our publicity campaign during that time, and our doing so rests entirely in your proper answer to this appeal.

Respectfully,

A. L. GOETZMANN, Secretary.

H. F. MILES,

Chairman Executive Committee.

P. S.—Inclosed find newspaper clipping for insertion in your local papers. Keep the papers filled with interviews and editorial stuff, and mail marked copies to Washington.

Mr. GAMBLE obtained the floor.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Indiana?

Mr. GAMBLE. I yield to the Senator from Indiana for a moment.

Mr. BEVERIDGE. Mr. President, it is unnecessary to say that I never saw nor heard of a letter of that kind, and did not know that there was such a thing as a committee of one hundred. But I see nothing whatever improper in that letter. The Senator from Maine [Mr. HALE] has referred to it, not indefinitely, but by innuendo, as though these most honorable business men were using money for an improper purpose, when the letter itself shows that they said they must push their publicity campaign. Why, Mr. President, are they—

Mr. HALE. What does the writer of the letter mean when he says it will take \$25,000 to put this bill through the Senate and the House? What does he mean by that?

Mr. BEVERIDGE. If he used any such language as that, I suppose that what he meant is to be interpreted by the rest of the letter. Does the Senator dare impute improper uses? He dare not. These are as honorable men as he. It is not for me to interpret the letter.

The Senator, however, refers to what kind of agitation is back of this, and I want to refer to it now a moment myself. It seems offensive to the Senator from Maine that citizens of the United States should have the temerity to ask their Congress—their servants and not their masters—to pass laws which they feel are necessary to their prosperity. Their servants, not their masters, I repeat, for the Senator from Maine seems to think we are their masters and not their servants.

Has it come to this in the oligarchy of our legislation that even the right of petition is to be denied? That is going beyond anything that exists in Europe.

Let me say to the Senator from Maine that when I first presented this bill, a year and eight months ago, a part of the agitation for it was supported by the National Grange, with a great many hundreds of thousands, and, I believe, more than a million farmers in this country in its membership; the National Stock Raisers' Association, the National Manufacturers' Association, and perhaps more than 100 of the other most important commercial bodies in this country. Did they not have a right to agitate for what they believed to be necessary? Is it an offense to Congress or to the Senator from Maine that great bodies of producers should actually have the temerity to demand legislation which they conceive to be essential to their welfare? I know the Senator from Maine does not think any such thing as that. Does he? Let him answer.

Why, Mr. President, I say without fear of successful contradiction that there has been back of this movement for the last few years a larger number of organized bodies of producers than ever agitated for any fiscal law in our history. I think that is perfectly proper. I think it is their right as citizens if they feel that legislation is demanded; I think it is their duty as citizens. While we may not agree with their wisdom, certainly it is not for us to question their right or their motives.

I can imagine that bodies of men like those might write letters containing language that was not very apt, which, in my opinion, would be imprudent; but no such reference as that to as honorable a man as Mr. Towne can for a moment discredit that great body of respectable business men, manufacturers, farmers, and stock growers, who have for more than two years been praying for this legislation.

I said a moment ago that perhaps the most active organization which was asking for this was the National Stock Raisers' Association. I happen to be acquainted with some of its officers, as other Senators here are. No better body of men live in this Republic. They think they are merely exercising their right, and I do not believe the Senator from Maine will deny them that right. If a Senator arises to speak here for a cause in which he believes, it does not derogate from the weight of that cause that great bodies of men feel the necessity of this legislation so much that they hold conventions, organize, pass resolutions, conduct publicity campaigns, and bring every other proper influence possible to bear upon Congress, to the enlightenment of our minds and the persuasion of our convictions. It is too large a thing to indict thousands and millions of men. Edmund Burke said, "You can not indict a people." They are exercising merely their right.

I have presented their case here briefly; and I would not have even presented that, because I merely rose a little while ago, or a good while ago now, to say something with reference to the statement of the Senator from Rhode Island, but interruptions from other Senators led me to give the reasons why the Senate and House of Representatives should enact this essential legislation, and that it is supported by the most important bodies of producers in this country should not be considered as weighing against it. Let the Senator from Maine look elsewhere for improper things; he can find them without looking far. It is outrageous to try to besmirch these noble men when there are others who deserve besmirching.

Mr. GAMBLE. Mr. President, I beg the indulgence of the Senate for a few moments while I call its attention as well as the attention of the members of the conference committee, to certain parts of paragraph 262 and to section 9 of the pending bill. I read that part of paragraph 262 to which I specially desire to address myself.

Flaxseed or linseed and other oil seeds not specially provided for in this section, 25 cents per bushel of 56 pounds * * * but no drawback shall be allowed upon oil cake made from imported seed.

I read so much of the paragraph, Mr. President, to disclose, as applied to this proposition, the text and the form in which the bill came from the House. As applied to flaxseed, there was a prohibition as to the drawback as it affected oil cake, the product of flaxseed. That was the affirmative action of the House. When the bill was reported by the Finance Committee to the Senate it proposed as an amendment to strike out the words:

But no drawback shall be allowed upon oil cake made from imported seed.

When the item was reached and the matter was before the Senate for consideration I called the attention of the chairman of the Finance Committee to it and proposed to be heard thereon. I opposed the amendment offered by the Committee

on Finance, and was in favor of the paragraph as passed by the House. It was suggested, Mr. President, at that time by the chairman that the amendment should be agreed to, and it was stated that an additional amendment covering the drawback would subsequently be reported from the Committee on Finance. It was further suggested, if I were not entirely satisfied with the form and effect of the amendment to be offered, we would again return to paragraph 262 and it would be open for further consideration. With this suggestion I was entirely satisfied. Later the Committee on Finance reported the following, and it was embodied in the bill as section 9:

Sec. 9. That the drawback provisions of this act shall not apply to wheat, wheat flour, or flaxseed, or to the product or by-products of flaxseed.

I will address myself, Mr. President, to the conference report as it affects the drawback in relation to flaxseed. The senior Senator from North Dakota [Mr. McCUMBER] will take up the matter of wheat and wheat flour in connection with section 9.

It appears that the House of Representatives affirmatively legislated upon this proposition and prohibited a drawback upon the products of flaxseed. The Senate committee proposed, and the Senate passed, a prohibition as to the drawback on the products of flaxseed. The two Houses were in agreement, and the only subject in conference was a slight variance in the wording of the two provisions. It was my purpose, Mr. President, to ask to be heard; but when the amendment was reported from the Finance Committee it seemed immaterial to me as affecting flaxseed whether the original drawback provision of the House was retained, or whether section 9, reported by the Committee on Finance and passed by the Senate was retained. I preferred the provisions of section 9, for the reason it applied also to wheat and wheat flour. In this situation the subject-matter went into conference. It comes out of the conference, Mr. President, very much to my surprise, where there was a concurrence in this legislation, affirmatively enacted by both Houses, and only varying slightly in the language used, with both of these provisions eliminated.

To say I was surprised is stating it mildly. It seems to me this is asserting a new and an enlarged rule as to the power of a conference committee. It occurs to me that when there was concurrence upon a specific proposition by both Houses, as in this case, there was nothing in conference thereon, and it was the duty of the conference committee to report one or the other of these provisions.

Mr. President, if this rule is to be applied, it puts flaxseed and its products under the general drawback provision. The House provision was a reenactment of the Dingley law, a provision which has been upon the statute books for more than twelve years. To leave the provision in its present form, to my mind, is grossly inequitable and ought not to be allowed. I appreciate the embarrassment and the practical impossibility at this time of recommitting the bill. Were it possible or feasible to do so, I certainly would favor that course, that this manifest error or oversight might be corrected.

The general provision as to drawback in section 25 of the pending bill is as follows:

That where imported materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States there shall be allowed on the importation of such articles a drawback equal in amount to the duties paid on the materials used, less 1 per cent of such duties.

Perhaps, Mr. President, it may be somewhat academic to discuss the question at this time, but I regard it of so much importance to the northwestern section of our country that I feel justified in submitting some observations upon it to the Senate, and especially to the Senate conferees.

Mr. President, by the adoption of the conference report it places the products of flaxseed under the general provision of the law as it relates to drawback, and gives the importer what, to my mind, is an undue advantage, and places in an insecure position the producers of flaxseed, which under existing law are now protected by a duty of 25 cents per bushel.

The production of flax has been greatly stimulated under the present rate of duty. The farmers have largely increased the acreage and the production has been wonderfully and rapidly developed.

In the year 1898, succeeding the passage of the Dingley law, the production of flax in the United States aggregated 12,500,000 bushels, with an average export price per bushel of 89.9 cents, with a total valuation of \$11,237,500. For the year 1908, as shown by the statistics of the Government, the production of flax aggregated 25,805,000 bushels, with an average price per bushel of \$1.184, and a total farm valuation of \$30,577,000. I submit a table taken from the Crop Reporter of December 26,

1908, published by authority of the Secretary of Agriculture, for the year 1908, showing the States where flaxseed is produced, the acreage, production, and valuation, as follows:

State or Territory.	Flaxseed.				
	Acreage.	Yield per acre.	Production.	Price per bushel December 1.	Total farm value December 1.
	<i>Acres.</i>	<i>Bush.</i>	<i>Bushels.</i>		
Wisconsin.....	25,000	16.0	400,000	\$1.15	\$460,000
Minnesota.....	427,000	10.8	4,526,000	1.20	5,431,000
Iowa.....	33,000	10.9	360,000	1.10	396,000
Missouri.....	26,000	7.0	182,000	1.08	187,000
North Dakota.....	1,530,000	9.0	13,770,000	1.19	16,386,000
South Dakota.....	550,000	10.7	5,885,000	1.19	7,003,000
Nebraska.....	15,000	11.0	165,000	1.12	185,000
Kansas.....	58,000	6.5	377,000	1.02	385,000
Oklahoma.....	6,000	6.0	36,000	1.10	40,000
Montana.....	9,000	11.5	104,000	1.00	104,000
United States.....	2,679,000	9.6	25,805,000	1.181	30,577,000

It will be observed from the foregoing table that the production of flax is largely centered in the Northwestern States. In Minnesota, North and South Dakota the aggregate production for 1908 was 24,181,000 bushels, valued at \$28,820,000. These States during the last year produced 93.7 per cent of the total crop of the United States. Under the protection afforded by existing law the farmers in the section referred to have been encouraged to engage in the production of this crop, and it has been greatly stimulated in consequence and has proved to be most profitable. Under such conditions I do not believe it is either wise or just that any modification should be made of existing law. If conditions are to be changed, and the existing duty directly or indirectly to be interfered with, I am satisfied it will work great injury to the producers of this important product. So successful has the cultivation of this crop become, and so remunerative to the agriculturists of this particular section, that there is produced now practically sufficient for the consumption of the American people.

Prior to the imposition of the duty there was a large importation of flax. During the year 1895, under the Wilson-Gorman law the importation aggregated 4,166,222 bushels. In the year 1907, under the stimulus and encouragement given to this particular industry, and under the prohibition as to drawback, only 82,806 bushels were imported.

As a further result from the imposition of the duty of 25 cents per bushel, good prices have been maintained for this product, and the farming interest has received the full share and advantage of this protection.

I have before me the Daily Commercial Record, published at Duluth, Minn., April 8, 1909, in which the following prices of flax are quoted: Duluth, \$1.67½; Minneapolis, \$1.65½; Winnipeg, \$1.35½. It will be observed the advantage is clearly in favor of the American farmer and that the price at Winnipeg is less by the rate of duty and freight charges.

Should the law be modified as proposed I fear it will injure the interests of the producers of flax, imperil and discourage its production, lessen the price, and in the end compel the farmers engaged in its production to largely abandon the crop. The farmers would be endangered by large importations from the Canadian producers, as well as importations on our eastern seacoast. The area for the production of this crop in Canada is almost limitless, and on account of its cheaper lands its producers there would have a decided advantage over the American farmer.

Mr. President, as a direct result of the protective policy of the Government upon this product and the great increase in its production there have been established many industries in the West directly in touch with the source of supply for the manufacture of flaxseed into oil and oil cake. The policy of the Government not alone has encouraged the cultivation and production of flax, but at the same time it has encouraged and practically invited the investment of large amounts of capital for the production and reducing of flaxseed into the finished product of oil and oil cake. The present modification, in my judgment, will not only affect the price of the product to the farmer, but will imperil the large investment of capital engaged in the manufacture of the finished products of flaxseed.

I find from the report of the census for 1905 there were 30 linseed oil mills in operation in the United States, with an invested capital of \$9,849,695. The aggregate cost of material used for that year was \$23,153,151 and the value of the product

was \$27,577,152. Thirteen hundred and forty-nine wage-earners were employed and the wages paid for 1905 aggregated \$783,294. It is further shown these establishments are located largely in the West and the great majority of them come in close touch with the areas of production. Six are located in New York and one in Pennsylvania, and, as I am informed, mostly upon the Atlantic seaboard.

It is my understanding that under present conditions flaxseed for the eastern mills is largely shipped from the source of supply in this country by lake transportation. In no sense under the present law are the Atlantic Coast mills placed at a disadvantage with their western competitors for the reason that freight by water from Duluth to the seacoast is 6 to 8 cents less per bushel than on the products of flaxseed by rail transportation.

Over 75 per cent of the oil cake produced comes to the Atlantic coast for export. The oil cake is practically two-thirds of the weight of the flaxseed and the oil produced therefrom one-third.

It is not my purpose to ask for an advantage for one section of our country over another, nor is it my purpose to make any special argument in behalf of the manufacturers of the West over the East only as the proposed change, to my mind, affects the producers of flaxseed. In my judgment, as production has been encouraged and developed, and the amount of production has been greatly augmented by the existing law, and as the production of flaxseed has been profitable not only to the farmer, but to the manufacturer, the interests of neither should be imperiled or endangered, but the production and manufacture thereof should be encouraged and maintained and conditions remain as they are without hazarding their mutual prosperity by the proposed modification of the law.

As I have stated, the production of flaxseed has so increased under present conditions that now it practically supplies the American market, and if conditions remain as they are, that demand will be more than met, so that we will be in position not only to supply fully our own market, but to export this product if this proves advantageous. If, however, the law is to be modified as suggested and importation is to be permitted and a drawback allowed of 99 per cent of the duty paid on the exported product, I am apprehensive the stability of the price of flaxseed will be invaded, uncertainty arise, and the success not only of the production of flaxseed be endangered, but the western manufacture of its products as well.

If a new rule is to be applied, it practically means the importation of flaxseed with the payment of the duty provided by law, and this will permit the export of either of the manufactured products of oil cake or linseed oil with a drawback or refund of 99 per cent of the duty paid on the importation of the flaxseed. In other words, the manufacturer will be permitted to reduce flaxseed to linseed oil or oil cake and permit him to export either of the products with the relative proportion of the drawback. It would allow the importation of flaxseed upon payment of the duty, and as 75 per cent of oil cake is exported, the oil could be retained and the drawback recovered on the oil cake exported, which would mean a return of practically two-thirds of the duty paid. The law would also permit the export of both products of the seed, and this would insure the full return of the drawback provided by the statute.

Although we now produce sufficient flaxseed and linseed oil for domestic consumption, if this new rule is to be applied and the drawback permitted upon oil cake, it certainly must result in the importation of large amounts of flaxseed, increase the domestic production of our own mills from foreign flax, and as a result will reduce the price of flaxseed, which in every sense will be inimical to the American producer of this product and especially to the Western farmer.

Flaxseed from Argentina and other South American countries will be imported under conditions which would make it at a much less price than what the American farmer now receives for his flax, would depress the market as well as the price of the product, and imperil, if not utterly destroy, this great industry. The northwestern farmer would, as a result, be compelled to discontinue the cultivation of this profitable crop and change to other lines of production. It would put the American farmer in an unfair competition with the South American producer of this product, where it is raised on sheep land, with low rates of wages and cheap ocean freight rates, and would in the end be little short of free trade in this great staple.

Further than this, it would place the western mills in an unequal competition and practically helpless as against the establishments located on the Atlantic seaboard. None of the advantages could be realized by the western manufacturer, for the reason, in order to compete with their eastern rivals in the purchase of imported flaxseed on our eastern seaboard,

they would be compelled to pay freight rates from the Atlantic ports to their mills in the West and reship at least part of the oil produced and three-fourths of the oil cake to the eastern seaboard for export.

It would entirely destroy competition as between the manufacturers under existing law and would seriously cripple, if not entirely destroy, the western manufacturer. This in turn would react on the western farmer, and as a general result would destroy confidence in the industry, break down the American market, reduce the price of the product, and in the end, if not entirely destroy, would seriously oppress, the producer of flaxseed in the United States. Instead of there being a price fixed for the product in the American markets, it would be lowered to the range of the European price.

It is my understanding the American Linseed Oil Company controls a large linseed oil mill on Staten Island and also one at Philadelphia, and these practically represent the Standard Oil interests. I am further informed the lead trust has a large mill in the city of Brooklyn, and there are no independent mills on the eastern seaboard outside of the control of these great interests. It is my understanding the mills in the West are owned and operated largely independent of the trust, and of the 30 oil mills, as shown by the report of the census for 1905, 24 of them are in the West.

The export of oil cake for the year 1908 aggregated 696,135,362 pounds, valued at \$9,175,559. The export of linseed oil for 1907 was 450,208 gallons, valued at \$203,712, clearly demonstrating, with the limited importation of flaxseed and the exportation of linseed oil and oil cake, the production in the United States at the present time more than supplies the American market. I submit the following memoranda as to the price of flaxseed, linseed oil, and oil cake in this country and abroad, with additional data, and ask that the same be printed as a part of my remarks:

The attached quotations, we think, show that at present the northwestern farmer is getting the duty on flax. They show a value for Argentine seed of 5 cents per bushel less in Europe than in New York, and a value of \$1.50 per ton of 2,000 pounds cake more in Europe than in New York (equal to about 3 cents per bushel). It does not seem possible to change very much these comparative values. They have existed for generations, and to encourage the exportation of linseed oil we would have to admit flax free and pay an export bounty of more than 8 cents per bushel on its products. The desire for a drawback on oil cake, we think, can only be explained by the desire to produce cheaper oil from imported flax, and when this cheaper oil is offered in this country our mills must offer less for American-grown flax.

The growing of flax, its manufacture into oils, paints, varnishes, etc., has been encouraged; capital has been invested; labor has found employment in the Northwest. At the same time the Atlantic coast oil mills are at no disadvantage in working American flax. They receive their flax from Duluth by water, at a freight cost of 6 to 8 cents per bushel less than the freight on the products of a bushel of flax; and over 75 per cent of the oil cake produced in this country goes to the coast for export, paying freight to the coast in competition with the eastern mills. Oil cake is about 66 per cent in weight of the flax.

The only advantage to be derived from a drawback on cake is to the Atlantic coast mills, enabling them to use foreign flax and to cease to use American flax.

This would lead to a diminished demand and value for American flax, reducing the acreage, and destroying the profitable system of cultivation now prevailing in the Northwest.

Values.

	Flaxseed (56 pounds).	Linseed oil (gallons).	Oil cake (2,000 pounds).
New York (no duty).....	\$1.42	\$0.53	\$31.00
London.....	1.37	.35	32.50
Antwerp.....			
Rotterdam.....			
Minneapolis.....	1.67	.50	27.00
Duluth.....	1.37		
Winnipeg.....			

Northwestern flax would be worth in New York about \$1.70 to \$1.75.

Mr. President, to my mind the proposition is unfair and unjust to the producers of flaxseed, and I am confident it will endanger and imperil this important industry. Under existing law the producers and manufacturers have prospered and the industry in all respects has succeeded. While other interests are being protected under the proposed measure, should this change in the law be made it will place this interest at a serious disadvantage and in an unfair and unequal competition with foreign competitors, and I am afraid if it did not destroy it would most seriously cripple it. No sufficient reason has been shown why there should be a modification or change of existing law. As the interest has prospered and developed to a marked degree under the present law, to my mind it is the

course of wisdom and of fair dealing neither to modify nor change existing conditions.

I am gratified we have the assurance of the cooperation and support of the Committee on Finance to secure the passage of a joint resolution correcting the error and restoring the provisions of the pending law. In this, I have confidence, it will meet with the approval of both Houses.

Mr. President, I beg the indulgence of the Senate for a few moments independent and unrelated to the question I have had under consideration. The declaration of the national Republican platform of last year upon the question of tariff revision has been the subject for the expression of many divergent views during this debate. Its declaration as to the principle that should guide us in the subjects under consideration, it occurs to me, is most clear and emphatic. It states:

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

As to the clearness and meaning of the rule laid down there should be no controversy. The difference in the cost of production at home and abroad should be susceptible of demonstration, and with that determined the rate of difference should be fixed, and in addition to that a preference given to American capital for its investment, with a reasonable profit.

In any revision had this principle should be invoked so that the American wage-earner in every sense shall be protected as against the wage scale of foreign competitors and the American capitalist assured a reasonable guaranty on his investment. In no other way can our own people be protected against the foreign producer and manufacturer and our home market preserved.

Since the enactment of the Dingley law our industrial system has been greatly modified. Innumerable changes have taken place in the process of manufacture. Labor-saving machinery, in many cases, has displaced the slower and more costly method of production. Labor, with the newer appliances and better equipment, has become more efficient. In many of our products we are unable to compete in the markets of the world. During this time, although the relative rate of wages has increased, I believe, as a whole, the cost of production in many lines has been reduced. This fact should and ought to be considered in the fixing of the rates, and especially so as between those of the law of 1897 and the proposed measure.

Full regard should and ought to be given to the wage-earner and to invested capital in manufacture; but it is high concern to both and to the prosperity of our people as a whole that a just and equal consideration should be shown the consuming public.

No prosperity can be permanent and general unless the benefits sought to be extended under the law shall directly or indirectly apply alike to every element of our population. No rate should be placed so high as to make the possibility of importation absolutely prohibitive, and thereby deny the entrance of the product to our market altogether and give opportunity to monopoly and an undue exaction from the public.

I trust the information proposed to be secured under the provisions of the pending bill, though greatly circumscribed and limited from the original provision, may be enlarged by the Executive that it may include the data as to the cost of production and of the wage scale and its efficiency at home and abroad, so that any future Congress, when it takes up a revision of the tariff, in whole or in part, may have definite and certain information upon these supreme questions to guide it in its determinations, which have been almost wholly lacking in the present instance.

It may be admitted that from the declaration of the platform or from the official proceedings of the national convention it can not be demonstrated that it was in the mind of the convention either for a downward or an upward revision. It seems to me, however, from what occurred preceding and subsequent to the convention and prior to the election in November, the manifest purpose and intention of the Republican party was, owing to the changed conditions since the enactment of the existing law, the revision should generally be downward as far as it could safely and prudently be had within the rule laid down in the platform itself. At the same time it was also just as clearly understood that certain increases might be necessary, but as to these it was felt under the existing rates they were limited and exceptional.

Mr. Taft two years prior to his nomination had declared for revision, and this was against an element of the party known to be opposed to such a course. A large element of the party for

some years had insisted upon a revision of the tariff, and had attacked certain of the schedules as excessive and urged the necessity for a revision downward. To my mind the pledge of the party at Chicago was an answer and an assurance to that element of the party that had insisted upon a revision, and a revision downward, within the rule as stated in the platform.

It is unnecessary here to review or restate the declarations of the party candidate subsequent to his nomination and prior to the election. To my mind a fair construction of his position, and which, I believe, was accepted and understood by the Republican party of the country as an interpretation of the platform upon this question, as well as the purpose and intention of the party itself, meant a revision downward, within the rule stated in the platform. The Republican electors of the country gave full faith to their candidate and to their party on this question, having the fullest confidence in both, and that in the revision to be had the obligations in all respects would be fulfilled.

The demand within the party for a revision was insisted upon, it must be admitted, by those who believed in the lowering of certain of the rates. It can not be contended that the declaration of the platform was in answer to a demand for a revision upward, for the reason no such demand had been insisted upon. Those who were opposed to revision were satisfied with existing rates, except in a most limited number of cases, and they were willing to forego the raising of these in order to maintain the existing rates upon the other schedules. I feel that such was the understanding of the Republican party generally throughout the country.

I have sought to govern myself in my votes so far cast on the pending bill by the rule laid down in my party platforms, both state and national. I was anxious that such rates should be levied in all of the schedules so that the bill, when completed, would meet the just expectations of the country and the Republican party as a whole be satisfied with its provisions. If so, the question will be settled for years to come; otherwise, insistence for revision will be continued and the demand therefor constantly renewed. The agitation for revision itself brings disturbance and uncertainty, and always when it is undertaken the business interests of the country suffer great loss. With the question settled, and settled rightly, I have confidence the country is ready for a great uplift and revival in its business activities and development, surpassing perhaps anything in our history.

The protective policy of the Republican party from its inauguration has given the country an opportunity for its greatest development. For nearly fifty years, with only one exception, it has been the fixed and permanent policy of the Government. During that time our progress and development have been unequaled in the history of the world. It has added to our wealth, developed our resources, extended our commerce, and multiplied our activities; and under its benign influence we have become the dominant force amongst the governments of the world.

Since the inauguration of the protective policy we have accumulated and added to our material wealth upward of \$100,000,000,000, which is one-fourth of the wealth of civilization. Under the same policy, and the range of prices therefor, from the wealth of the soil in agriculture, its product is the greatest in value each year of any government in the world. There has been built up under the same system our manufacturing establishments that produce each year practically one-third of the manufactured product of the world. As a result our export trade exceeds that of any of the governments of civilization.

A policy that has done so much for our material development and in the accumulation of such surpassing wealth, and has brought such prosperity to our people as a whole, should receive the most critical and painstaking care in the matters now in hand that in no way our prosperity should be endangered or the bulwark of protection broken down, but the system strengthened and fortified to insure our future development and accomplishments.

I would not claim that our wonderful development and prosperity are alone due to the protective policy of the Republican party. In my judgment, however, it has given the fullest and most enlarged opportunities to our own people to do their own work, to employ their own capital, to maintain and preserve their own market, and not to suffer displacement in either in the world's competition. It has reserved to the American wage-earner unequalled opportunities and has protected him against foreign competition and the lower level of wages and of living

in other lands. Under any economic system our first concern should be the protection of the home market.

Our annual production is enormous, and this system has protected labor, given it employment at the highest rate of wages paid anywhere, and our consuming power not only of the raw but of the manufactured products far surpasses that of any other people. Our production for last year was substantially as follows:

Farm products.....	\$8,000,000,000
Mineral productions.....	2,000,000,000
Forests and fisheries.....	1,000,000,000
Manufactured products.....	15,000,000,000
Total.....	26,000,000,000

Of this enormous production, we consume practically 94 per cent, leaving only 6 per cent to be exported. Our home market therefore, representing such a great aggregate, should have our first concern and at all hazards should be protected against undue foreign competition. In no way should the rates of duty be lowered that our foreign competitor may enter our market and take advantage of our own labor and imperil the investment of our capital engaged in the production of our enormous manufactured product or in any way endanger a system and condition that has brought about such marvelous results.

I would not be understood, however, that I believe the rates should be made prohibitive. The rule, as stated in our platform as to the difference in the cost of production with a reasonable advantage to American capital so invested, is the true principle. At such a rate our wage-earners and our manufacturers would have just protection against foreign competition, and the consuming public would be protected from the possibility of unjust and unreasonable exactions.

Having accumulated such vast wealth, and having developed our industries so that our production has been so rapidly accelerated, and under a system that has given employment to labor at the highest scale paid anywhere, no act should be done, directly or indirectly, to endanger a policy that has brought about such marvelous results.

Mr. President, I appreciate in measures of this character they are the result of compromise. It would be idle to state that the bill as completed is in all respects as each individual Senator would have it or would write it. A measure covering so many items and affecting innumerable interests, and legislation affecting such an extended area as the United States, is not a matter of the simplest or easiest solution. To say that the measure is in all respects satisfactory, and in every detail meets my concurrence, would be hardly consistent with the facts. Already in certain particulars I have pointed out my dissent. It would be idle as well as useless to go into details. The time for argument here is practically closed.

The votes I cast during the consideration of the measure stand as an expression of my judgment and of my position. On many questions I voted with the minority of my party associates. Each Senator must act upon his own judgment. On the whole, I believe the pending bill is a great improvement over the present law. In many of its administrative features there is certainly a great advance. I regret the conference committee so circumscribed and limited the Executive in the securing of full information that might and would be of the highest service not only to the Executive, but to Congress in any future revision that might be had. I feel, however, this subject can again be taken up as an independent proposition and legislation had thereon if deemed necessary. The original provision as it passed the Senate met my full concurrence and approval.

As the result of the conference, I believe the bill has been vastly and materially improved.

As shown by the chairman of the Committee on Ways and Means when he submitted the conference report to the House, the equivalent ad valorem of this bill is 41.58 per cent and the equivalent ad valorem of the same articles coming into the United States under the Dingley law is 42.58 per cent, a decrease of 1 per cent. The result at least shows the revision is downward and not upward. Though not large, it makes good the party pledge to that extent.

From the same authority I desire to submit a most convincing and illuminating table, which has relation to the consumption value of the articles upon which the rates of duty have been increased and decreased. It makes a most convincing argument in itself and needs neither comment nor elaboration. I ask for the insertion of the table without reading.

The PRESIDING OFFICER. If there be no objection, permission is granted. The Chair hears no objection.

The table is as follows:

Table showing consumption value of articles on which rates of duty have been increased and decreased in cases where amount of production can be ascertained.

Schedule—	Duty decreased.	Duty increased.
A. Chemicals, oils, paints.....	\$433,099,846	\$11,105,820
B. Earthen and earthenware.....	128,423,732	
C. Metals, and manufactures of.....	1,248,200,169	11,432,255
D. Lumber.....	566,870,950	31,280,372
E. Sugar.....	300,965,953	
F. Tobacco. No change.		
G. Agricultural products.....	483,430,637	4,380,043
H. Wines and liquors.....		462,001,856
I. Cotton.....		41,622,024
J. Flax, hemp, jute.....	22,127,145	804,445
K. Wool. No statistics; no change.		
L. Silk.....	7,947,566	106,742,646
M. Paper and pulp.....	67,628,055	81,486,466
N. Sundries.....	1,719,428,069	101,656,598
Total.....	4,978,122,124	852,512,525

Of the above increases the following are luxuries, being articles strictly of voluntary use:

Schedule A, chemicals, including perfumeries, pomades, and like articles.....	\$11,105,820
Schedule H, wines and liquors.....	462,001,856
Schedule L, silks.....	106,742,646
Total.....	579,850,322

This leaves a balance of increases which are not on articles of luxury of \$272,662,203.

Mr. GAMBIE. Mr. President, to have voted against the bill and defeated its passage through the Senate in the first instance, it occurs to me, would have been unwise. It would have been interpreted by the country that the Republican party was incapable of accomplishment or to do the task assigned it. It would have meant, it seems to me, disorder and political chaos in a party sense. The Republican party was intrusted by the country to do its duty in this particular. The country repudiated the promises of the opposition in the last national election and confided this supreme responsibility to a Republican Congress and to their leader, the President of the United States.

Had the bill failed then, or should it fail now, it occurs to me, there would be little hope of a successful solution of the question during the present Congress. I felt the wise course was to vote for the measure in the first instance, which meant passing it one step further on its course to completion, and that it should be thrown into conference. I believed as a result of the conference the bill would be made to more nearly meet the demands of the party and comply with the spirit and intent of the platform. As a result we have the completed bill before us. It is supported by a large Republican majority. It has the approval of the President, who was the standard bearer of the party in the last campaign and is now its leader. He feels its provisions are in compliance with the party platform and the pledge he, as well as the party, made during the campaign that led to his triumphant election. To defeat the measure would disorganize the party, destroy the possibility of a successful administration, and overwhelm it in the first great measure the party has undertaken with the active cooperation and help of the President himself.

Mr. President, the proposed measure in the different stages through which it has passed has received careful, painstaking, and patriotic consideration, involving as it does matters of such tremendous importance to the welfare and prosperity of our whole people that now as completed, I hope, gives expression to the party pledge and will meet as near as may be with the approval of the country, do justice to every interest, and bring prosperity and unmeasured development to our whole industrial and commercial life.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11570) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1909, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 9135) to raise revenue for the Philippine Islands, and for other purposes, and it was thereupon signed by the Vice-President.

ENROLLMENT OF TARIFF BILL.

Mr. ALDRICH. I ask permission to offer a concurrent resolution, which I desire to have printed and lie over until tomorrow morning.

Mr. CULBERSON. It seems to be not a very long resolution, and I ask that it may be read.

Mr. ALDRICH. Very well.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read the concurrent resolution (S. C. Res. 8), as follows:

Senate concurrent resolution 8.

Resolved by the Senate (the House of Representatives concurring), That the Committees on Enrolled Bills of the two Houses be authorized to correct the enrolled bill of the House (H. R. 1438) entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," by striking out the word "general" wherever it occurs in section 2 of said bill, and inserting in lieu thereof the word "maximum."

And they are further authorized to enroll paragraph 450 as follows: "450. Hides of cattle, raw or uncured, whether dry salted or pickled, shall be admitted free of duty: *Provided*, That on and after October 1, 1909, grain, buff, and split leather shall pay a duty of 7½ per cent ad valorem; that all boots and shoes, made wholly or in chief value of leather made from cattle hides and cattle skins of whatever weight, of cattle of the bovine species, including calfskins, shall pay a duty of 10 per cent ad valorem; that harness, saddles, and saddlery, in sets or in parts, finished or unfinished, composed wholly or in chief value of leather, shall pay a duty of 20 per cent ad valorem."

The PRESIDING OFFICER. The concurrent resolution will lie over and be printed.

PROPOSED TAX ON YACHTS.

Mr. LODGE. I ask leave to have printed in the RECORD a statement from the Commissioner of Navigation giving a list of the yachts which will be affected by the new yacht tax and the probable revenue to be derived from that source.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The table referred to is as follows:

Owner.	Yacht.	Gross tons.	Annual tax.
James Gordon Bennett.....	Lysistrata.....	1,942	\$13,594
W. K. Vanderbilt.....	Valiant.....	1,823	12,761
A. J. Drexel.....	Margarita.....	1,780	12,460
Mrs. Robert Goellet.....	Nahma.....	1,739	12,173
Morton F. Plant.....	Iolanda.....	1,647	11,529
Joseph Pulitzer.....	Liberty.....	1,607	11,249
Eugene Higgins.....	Varuna.....	1,573	11,011
George J. Gould.....	Atalanta.....	1,303	9,121
Roy A. Rainey.....	Cassandra.....	1,227	8,589
Fred W. Vanderbilt.....	Warrior.....	1,097	7,679
C. K. G. Billings.....	Vanadis.....	1,091	7,637
G. W. C. Drexel.....	Alcedo.....	983	6,881
L. V. Harkness.....	Wakiva.....	853	5,971
Cornelius Vanderbilt.....	North Star.....	818	5,726
C. Ledyard Blair.....	Diana.....	785	5,495
C. W. Harkness.....	Agawa.....	602	4,214
John L. Livermore.....	Venetia.....	588	4,116
Mrs. O. B. Jennings.....	Tuscarora.....	540	3,780
H. C. Pierce.....	Yacona.....	527	3,689
Henry Walters.....	Narada.....	490	3,430
F. L. Leland.....	Safa-el Bahr.....	487	3,409
Edmund Randolph.....	Apache.....	451	3,157
Ralph E. Towle.....	Athena.....	447	3,129
A. E. Tower.....	Erl King.....	443	3,101
W. S. Kilmer.....	Remlik.....	432	3,024
Fred H. Stevens.....	Owera.....	426	2,982
Alex. Gordon.....	Astoria.....	421	2,947
Fred Gallatin.....	Riviera.....	407	2,849
Total.....		23,529	185,703

Besides the above, Americans own about 50 smaller foreign-built yachts, on which the annual tax will range from \$75 to \$2,800, amounting to about \$50,000 more, or, in all, about \$235,000 annual revenue from this source.

THE TARIFF.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CLAPP. Mr. President, I submit a proposed amendment to Senate concurrent resolution No. 8. I ask that it be printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

Mr. CULLOM. Mr. President, I rose to move an executive session.

Mr. BACON. I hope the Senator from Illinois will withhold that motion.

Mr. McCUMBER. I ask the Senator to withhold it until I can present some business.

Mr. CULLOM. I will withhold it until some formal business can be transacted. I am, however, very anxious to get an executive session.

Mr. ELKINS. I will not oppose an executive session. I was going to speak this afternoon. I want to speak first to-morrow morning if I can get the floor. If I can take the floor now for that purpose, I should like to do so.

Mr. CULLOM. I yield to the Senator from West Virginia for that purpose.

Mr. CULBERSON. Mr. President—

Mr. ELKINS. I should like to have this settled first. If I have the floor to go on with my speech to-morrow, I will yield to the Senator from Illinois to move an executive session.

The PRESIDING OFFICER. The Senator from West Virginia occupies the floor and yields to the Senator from Illinois.

Mr. GALLINGER. The Senator from West Virginia can not claim the floor to-morrow as a matter of right.

Mr. CULLOM. I simply desire to have an executive session this evening for the purpose of disposing of a lot of nominations for I may be called away at any hour, and I should like to dispose of the matters which are in my charge.

The PRESIDING OFFICER. The Chair understands that the Senator from Illinois yields temporarily to the Senator from North Dakota.

Mr. CULLOM. And I also yield to the Senator from Georgia.

Mr. GALLINGER. The Senator from Illinois yields for the transaction of morning business, I understand.

Mr. CULLOM. I yield first to the Senator from North Dakota.

Mr. McCUMBER. From the Committee on Finance, I report a joint resolution and ask that it may be printed and lie on the table.

The joint resolution (S. J. R. 42) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August —, 1909, was read twice by its title.

The PRESIDING OFFICER. The joint resolution will be printed and lie on the table.

Mr. McLAURIN. I ask leave to offer an amendment which I ask may be read. It is an amendment to the joint resolution just reported by the Senator from North Dakota, and I hope the Senator from North Dakota will accept the amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Mississippi will be read.

The SECRETARY. It is proposed to add as an additional section the following:

SEC. 3. On and after the day following the passage of this act bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton shall, when imported into the United States, be exempt from duty.

Mr. McCUMBER. I have no objection to the amendment.

The PRESIDING OFFICER. The amendment will be printed and go over until to-morrow.

Mr. McLAURIN. The Senator from North Dakota, I understand, accepts the amendment.

Mr. McCUMBER. I accept the amendment so far as I am able to accept it.

Mr. SCOTT. Will the Senator from Illinois yield to me to make an inquiry?

Mr. CULLOM. I yield to the Senator from West Virginia.

Mr. SCOTT. I understood the Senator from North Dakota [Mr. McCUMBER] to report a joint resolution on behalf of the committee. Then the Senator from Mississippi [Mr. McLAURIN] offered an amendment, which the Senator from North Dakota accepted. Do I understand that the joint resolution as proposed to be amended is accepted by the Finance Committee?

Mr. McCUMBER. I will say that as far as I am concerned I have no objection to the amendment, and I accept it.

Mr. SCOTT. I should like to have an expression from the Chairman of the Finance Committee. I wish to know if the Finance Committee accepts that amendment.

Mr. ALDRICH. It does not.

Mr. CULLOM. Mr. President—

Mr. ALDRICH. The Senator from Iowa [Mr. CUMMINS] is ready to go on, and we can come back to legislative session after the executive.

Mr. CULLOM. That is all right. I have no objection.

Mr. BAILEY. Why not take a recess until 8 and have a night session?

Mr. CULLOM. Does the Senator from Georgia desire to have me yield to him for any purpose?

Mr. BACON. I ask leave out of order to submit a report from the Committee on the Judiciary.

The PRESIDING OFFICER. The Chair hears no objection, and the report will be received.

COURTS IN GEORGIA.

Mr. BACON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 11797) to attach Ben Hill County to the Albany division of the southern district of Georgia, to report it favorably without amendment. It will not take more than a minute to pass the bill. It relates to the administration of the courts, and I ask that the bill may have present consideration. The bill has already passed the House. It passed the House at the present session.

Mr. CULLOM. I yield for that purpose, if it does not lead to debate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE PHILIPPINE TARIFF.

On motion of Mr. LODGE, it was

Ordered, That 1,000 additional copies of the Philippine tariff bill as passed by the two Houses be printed for the use of the Senate.

THE TARIFF.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. WARREN. With the indulgence of the Senator from Illinois, I wish to give notice that I will expect to address the Senate immediately following the Senator from West Virginia [Mr. ELKINS] to-morrow morning.

Mr. CULLOM. Now, if there is no further legislative business—

Mr. CUMMINS. Will the Senator from Illinois yield to me for a moment?

Mr. CULLOM. Certainly.

Mr. CUMMINS. I think we ought to have some kind of an understanding with respect to the future sessions of the Senate. There are several addresses yet to be delivered. The vote is to be taken at 2 o'clock to-morrow. I do not believe that they can be delivered between 10 and 2 o'clock to-morrow.

Mr. ALDRICH. There ought to be an agreement now about the division of time between the two parties, the friends and opponents of the bill, as to the speeches that will be made. I would suggest that the Senator from Virginia [Mr. DANIEL] or the Senator from Texas [Mr. BAILEY] have charge of the last and that we divide the time, the last two hours before the vote to-morrow to be divided between the friends and opponents of the measure.

Mr. SMITH of Michigan. Who will control this time?

Mr. ALDRICH. The chairman of the committee, I suppose, will control it on the one side and the Senator from Texas or the Senator from Virginia will control it on the other side.

Mr. CUMMINS. That could hardly be done, because the Senators upon the other side can not properly administer any such rule for the Republican Senators who desire to speak against this measure.

Mr. ALDRICH. I assume that they certainly could communicate with each other. I suppose the Senator from Texas, for instance, if he has charge on the other side, would be glad to communicate with the Senator from Iowa.

Mr. CUMMINS. So far as I am concerned, with the greatest regard for the Senator from Texas, I do not want to commit my side of this matter to Democratic management.

Mr. ALDRICH. It has been usual in matters of this kind to have some agreement about a division of the time. As there seems to be a large number of Senators who want to speak to-morrow and not to-day, I think we had better have an understanding between the friends and the opponents of the measure. If the Senator from Virginia is willing to have the Senator from Iowa named with him to control the opposition to the bill, I have no objection to that.

Mr. CUMMINS. So far as I am concerned, I intend to try to take care of myself. I do not want any management of that kind controlling my speech. I speak from possibly a different standpoint with respect to the measure.

Mr. BAILEY. I suggest that the time be divided into three parts: That the chairman of the committee control the part allotted to the friends of the bill; that the Senator from Virginia control the time allotted to the Democrats in opposition to the bill; and that the Senator from Iowa control the part allotted to the Republican Senators who are opposed to the bill.

Mr. ALDRICH. That, of course, would give the opponents of the bill two-thirds of the time, but I do not object to that.

Mr. GALLINGER. I object to that.

Mr. CUMMINS. I can not accept the suggestion of the Senator from Texas.

Mr. BAILEY. I was willing to perform that office for the Senator from Iowa, but I understand that the Republican Senators will occupy their own time.

The PRESIDING OFFICER. Objection is made.

Mr. BAILEY. I ask that the Senator from Wisconsin [Mr. LA FOLLETTE] may control the time allotted to the Republicans who are opposed to the bill.

Mr. CUMMINS. I do not believe that those who are grouped upon this side of the Chamber, and who have views against the bill, could so arrange the matter. I do not think that any of them desire to speak at any great length. I am perfectly willing, and have been all day long, to go forward with what I have to say. I have simply been waiting my opportunity. I trust that the sessions of the Senate will continue until we have a reasonable chance to be heard.

Mr. BAILEY. Would it suit the Senator from Iowa—

Mr. SMITH of Michigan. Mr. President, I was going to suggest—

Mr. BAILEY. Let me make a suggestion. I think we probably could agree to a night session, and that might accommodate everybody.

Mr. ALDRICH. But so far as I have been able to discover nobody wants to speak this afternoon or to-night.

Mr. DANIEL. I beg leave to say that the statement of the experts who represent the minority is in the hands of the Printer. It will be here as quickly as the Printer can deliver it. I have a portion of the statement already. Of course, it can be used hereafter. I do not propose to make any general statement about the tariff. I think it is too late for that.

Mr. ALDRICH. I hope to have an opportunity before we get through, after the discussion is practically over, to answer any criticisms which it seems to me ought to be answered, and to make a very brief statement as to what the bill accomplishes.

Mr. DANIEL. Of course, the Senator should have that opportunity. I shall seek, in as few minutes as I can, to correct what were some errors in the chairman's statement day before yesterday. I shall not provoke anything more that is controverted. I have made my statement.

Mr. CULLOM. I had the floor to move an executive session. This question came up as to the division of the time, and I am embarrassed to know whether to make the motion or not.

Mr. BEVERIDGE. It will take but a moment to settle this matter, I think.

Mr. CULLOM. I want to have an executive session, because I may be called away at any time, and I wish to get rid of the executive business now in my charge.

Mr. BEVERIDGE. I hope the Senator will withhold the motion for just an instant.

Mr. CULLOM. I do not desire to interfere with the business of the Senate in reference to the tariff bill.

Mr. DANIEL. Before the Senate adjourns, I wish to call up the resolution in which there is asserted a rule of the Senate. I came here a free man and a free Senator. I will not go out a slave Senator if there are enough free men in the Senate to proclaim their own and my freedom; and I hope that by unanimous consent the Senate will show respect enough for its own order, and for the rules of the Senate Manual, drawn in accordance therewith, to proclaim it. That is all.

Mr. SMITH of Michigan. Mr. President, I should like to suggest—

Mr. DANIEL. I will call it up now and ask unanimous consent, if it will save time. I do not suppose—

Mr. ALDRICH. I shall not consent.

The PRESIDING OFFICER. Objection is made.

Mr. SMITH of Michigan. I should like to suggest to the Senator from Texas and the Senator from Rhode Island, in the event any unanimous consent is agreed upon, that the last two hours to-morrow, or the two hours preceding 2 o'clock, shall be devoted to speeches not exceeding ten minutes in length.

Mr. ALDRICH (to Mr. SMITH of Michigan). Make it 15 minutes.

The PRESIDING OFFICER. The Chair understood objection was made to the unanimous consent asked for by the Senator from Virginia.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. ALDRICH. I hope the Senator will let us dispose of this matter, if we can.

Mr. CULLOM. I thought it was about disposed of.

Mr. ALDRICH. No; I did not understand that anybody objected.

Mr. CULLOM. I withdraw the motion, for the purpose of getting the matter concluded.

Mr. DANIEL. If I may be permitted, I will move that when the Senate adjourn this afternoon it be to meet at 8 o'clock to-night.

Mr. ALDRICH. That is not in order now. I think we had better dispose first—

Mr. BAILEY. It should be a motion for a recess, because within the time—

Mr. ALDRICH. I hope the Senator's suggestion will be agreed to, if it is to be—

Mr. GALLINGER. I objected to the Senator's request for unanimous consent and will object to the radical departure from the rules of the Senate, adopting the methods of another body whereby we are going to parcel out time, and I will object to any unanimous consent on that point.

Mr. ALDRICH. Mr. President, it has been done in the Senate, within my knowledge, quite a good many times; and I do not see how it is possible otherwise, under the circumstances, to have an equitable division of the time of the Senate between the friends and the opponents of this bill.

Mr. GALLINGER. We have not had an equitable division up to the present time, and it seems to me that the Senators who have consumed the most of the time for the last three months now desire to consume the remainder. We can easily take a recess and have an evening session, and then we can limit the speeches. I would limit them to two minutes; but if they must be ten minutes, let ten minutes be the limit, and then every Senator that wants to be heard can be heard to-morrow. I do not want to occupy even two minutes.

Mr. KEAN. Make it fifteen minutes.

Mr. ALDRICH. Then I request that the time to-morrow be divided into ten-minute speeches.

Mr. ELKINS. Make it fifteen.

Mr. GALLINGER. Ten is long enough.

The PRESIDING OFFICER. The Senator from Rhode Island requests that—

Mr. ALDRICH. That the debate on the conference report be limited to ten-minute speeches.

Mr. DANIEL. I object.

Mr. CUMMINS. I object also.

Mr. ALDRICH. Do the Senators object to any limitation?

Mr. DANIEL. We have not come to to-morrow yet.

Mr. CUMMINS. I am in favor of a night session, and I believe that matter ought to be determined then.

Mr. BEVERIDGE. If the Senator from Rhode Island will yield to me for a moment, I suggest that we can go ahead to-night, and then, as we draw near the conclusion of the evening session, we can understand better what limitation to agree upon for to-morrow.

Mr. DANIEL. That is right.

Mr. ALDRICH. Mr. President, I ask unanimous consent that at half-past 5 the Senate take a recess until 8 o'clock this evening.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent that at half past 5 this afternoon the Senate take a recess until 8 o'clock. Is there objection? The Chair hears none, and that order is made.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

THE TARIFF.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SCOTT. Mr. President, I want just a moment of the Senate's time. I suppose I am really what might now be called "an old-fashioned protectionist." I have always believed that the doctrines of the Republican party were that we should provide, through suitable revenue duties on imported articles, sufficient funds to pay the running expenses of the Government and to protect the workmen of this country against the poorer-paid labor of Europe. We have, Mr. President, 26,000,000 laboring men in this country who have nothing but their labor to sell. You might call it their "raw material," and I have always felt that it was the duty of those of us who are in a position to make laws and legislate for the good of our country to do so in such a way as to give to these men of brawn the best market

in which to sell their commodity; that is, their labor. In order to do this, Mr. President, I think it is our duty to keep out goods made by the cheap labor of Europe. In the reduction in the duty on many articles in this bill I fear we have endangered the welfare of the laboring people of this country.

If the principle of protection is right—and I have always believed it was—then it is just as essential that I should vote for a duty on shoes or a duty on cutlery for those who manufacture these articles in New England as it is for me to vote for a duty on coal, oil, lumber, and other commodities in my State. My observation has been that where the Government of the United States has put a protection upon a certain line of manufactured goods and has allowed the inventive genius of the American people and the mechanics to perfect machinery and lessen the cost of production, it has always resulted in the lowering of prices to the consumer. The fact that American machinery is being shipped to Japan to make shoes, the fact that cutters who are familiar with the styles and shape of the shoes made in this country have been sent to Germany, makes me fearful that in a few years the labor engaged in producing shoes will have to look for other occupations. The fact that we reduce the duty on iron ore will enable the ore from Cuba and from Spain to come into this country, and the miner of iron ore in Michigan, Minnesota, and other States will be looking for work in other fields than those of ore mining. The reduction of the duty on lumber of all kinds, in my opinion, will compel those who are working in the forests of Washington, West Virginia, and other States to go to Canada in order to find permanent employment.

It should be our duty as good Americans and as good Republicans to see to it that our fellow-man in this country, who has nothing but his labor to sell, should be given the highest market possible in which to sell it, in order that he might be able to better care for himself, his wife, and children.

Mr. President, the true position in which to place oneself is that of the other man, and then we should ask ourselves if the conditions were reversed what would we wish the other fellow to do for us? Those of us on the floor of the Senate of the United States may not have labor to sell, but we do have a responsibility to provide the best market for those who do have that commodity for sale. Have we done so? Each Senator must answer for himself. As for me, I have no apology to make for any vote I have cast on this bill. I accept it as the best we can get under the present circumstances.

Mr. WARREN. Mr. President, before the Senator from West Virginia takes his seat, I want to ask him a question. There has been a great deal of talk and a great many statements in the newspapers about the demand for free raw material. It is said that there is such a growing demand that we ought to meet it and make raw materials free. I do not believe the Senator espouses that idea; but I should like an avowal from him whether he does or does not.

Mr. SCOTT. I do not, sir. Most emphatically I do not. There is no such thing as raw material.

Mr. SMITH of Michigan. Mr. President, I ask unanimous consent that the table, which I send to the desk, giving a comparison of the conference rates of duty with the rates of the Dingley tariff law on such items as have been increased or decreased in House bill 1438, together with a statement of the percentage of increase or decrease in each instance, be printed as a document (S. Doc. No. 154). I may say that this table is compiled from a table published as an appendix to the speech of the Hon. CHAMP CLARK, of Missouri, made in the House of Representatives, July 31, 1909.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and that order is made.

Mr. SMITH of Michigan. Now I ask unanimous consent to print in the RECORD a letter written by me to a public journal expressing my views upon the pending bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none.

The matter referred to is as follows:

SENATOR WILLIAM ALDEN SMITH MAKES REPLY TO THE OPEN LETTER OF THE EVENING PRESS.

[From the Grand Rapids (Mich.) Evening Press, June 21, 1909.]

The Evening Press acknowledges the receipt of a letter from Senator WILLIAM ALDEN SMITH making reply to the open letter of the Press in its issue of June 15, and gladly prints the reply in full. In order to do full justice to Senator SMITH, giving his reply a hearing fully equal to that of the critical letter, the Press to-day gives up its editorial columns to him.

So much interest has been aroused throughout the State by the questions which the Press put to Senator SMITH, as is evidenced by the copying of the editorial by many papers and the receipt of many letters of approval, that the Press feels gratified in being able to give to its readers the Senator's full reply, knowing that it will have careful

consideration. Any comment on the reply which the Press may wish to make is reserved for to-morrow's issue. The reply follows:

The Evening Press, Grand Rapids, Mich.:

My attention has just been called to an editorial in your paper of the 15th, and I have carefully read the same and have no hesitation whatever in replying specifically and "fully" to your questions.

I deeply regret, however, that while I was at home you did not see fit to call upon me for this information, which would have been readily forthcoming, thus avoiding any delay.

It may interest you to know that I did not return to Michigan upon any political mission, personal or otherwise, and all rumors to the contrary are both misleading and unfair. However, public servants seldom ever escape criticism, and my long experience in public life, with its vicissitudes and burdens, imaginary and real, leads me to view with equanimity temporary misjudgment and captious fault-finding.

The Evening Press during all of my public work has been most considerate and generous in its treatment, although I realize that we may not always have been in full accord upon the fundamental principles of political government, but I cheerfully concede the honesty and patriotism of your excellent staff, and desire to thank you publicly for your generous words of commendation in the past and to express the hope that my conduct in the high office which I now hold may entitle me to fair and just treatment at your hands.

I am uncompromising in my devotion to the doctrine of protection to American industries and labor and have never in my life uttered a criticism upon that policy which, with all its faults, inequalities, and favoritism, has been the means of developing the natural resources of our country to the highest state of usefulness ever attained by any people in the history of the world. This policy has elevated the standard of American citizenship, stimulated and maintained the highest wage for our labor, resulting in a standard of living among all classes of our countrymen unequalled by the peoples of any other land.

I helped in a modest way to frame the present Dingley tariff. While it is not perfect and was the result of compromise, it is founded in the basic principle of protection, and when passed by Congress met with almost unanimous approval among all classes of people. Since that time other countries have fashioned their laws after ours and in several instances have reaped rich reward in prosperity.

I would not abandon the views I entertain regarding the efficacy and wholesomeness of this principle for any public office, no matter how high, and when my views thus expressed fail to receive the approval of the people I represent, I shall lay down my public honors as cheerfully and willingly as I took them up. It is fortunate, however, that my record in public life is an open book. Every vote I have cast has been prompted by the highest patriotism and loyalty to the people of my State, and I have no apology to make to anyone for my course, although I realize much difference of opinion exists upon important economic questions, and I have the highest respect for those whose views are in conflict with my own.

I desire to answer your inquiries "fully" and fairly. First you say, "Will you not take the opportunity to inform your constituents the part you have taken and are taking in the construction of the bill?"

Yes, cheerfully, although I had supposed that your enterprising journal had not failed to chronicle my vote as cast and the reasons given therefor. I do not favor the use by the American people of European-made goods when they can be produced at home and fairly purchased, even though the American cost is greater than the European cost, and every vote I have cast has at least this element of logic and patriotism in it.

The Senate is engaged in revising the present law and not the House bill, and all the Members of the Michigan delegation in House and Senate are in practical accord in the work we are now doing, and your invitation impels me to answer for all of my congressional associates from Michigan, who are in substantial agreement upon the course we have taken.

Your second question, "Will you not inform them fully why you have labored so earnestly in the interest of the steel trust in denying to the independents free ore?"

Yes, gladly and "fully." We are now engaged in passing a bill to raise revenue for the support of the Government. The steel company, so called, has large holdings of iron ore in other countries than our own; while some of its largest stockholders, notably Mr. Schwab, formerly president of that company, has recently acquired extensive iron deposits in Cuba, which he seeks to bring into this country duty free.

Michigan is rich in iron ore, and thousands of our citizens depend upon that industry for their daily labor, while extensive communities, both towns and cities, are closely related to the continued development of this domestic industry. Everybody of intelligence understands that the steel manufacturers are in practical agreement as to the price of their products, and Mr. Schwab, before the Committee on Ways and Means, even went so far as to say that the removal of the tariff upon iron and steel products would not affect the price to the consumer—presumably this witness knows the strength of his combination, both here and in Europe—and Senators were face to face with the fact that free iron ore only meant that the Government would be deprived of the revenue to be derived upon imported ore for the benefit of Mr. Schwab and his associates, who would, with free ore, retain the duty otherwise collected for the people at our ports.

The Bethlehem, Mr. Schwab's company, and other steel mills, it is estimated, will draw within the next two or three years from Cuba upward of twelve to fifteen million tons of iron ore annually.

At the present rate of duty the Government would collect between four and five million dollars from him; but with the decrease so strenuously insisted upon, the duty will be reduced to 20 cents a ton from Cuba, under reciprocity; and notwithstanding this reduction, the duty will net the Government under the new bill, if this provision is retained, between two and three million dollars annually.

Many Senators upon both sides of the Chamber voted to fix the duty upon iron ore at 25 cents a ton merely as a revenue measure. I would have voted to fix the duty at that rate if there had not been an ounce of iron ore in the State of Michigan; but when I received the earnest prayer of thousands of Michigan people, asking that a duty be maintained in order that the price of labor in this country might not be reduced to the scale prevailing in Canada, Sweden, and Cuba, to the great detriment of those who work in the iron mines of northern Michigan, I felt very sure that my course was justified; and it may be interesting to your readers to know that I have not received a single word of criticism from any citizen of our State for my course upon this schedule, while I have received scores and scores of letters from humble and unpretentious people thanking me for what I have done; and it may also be interesting for your readers to know that no officer, agent, employee, stockholder, or other persons connected or related to the steel company in any way has ever spoken or written to me about this matter.

Third, you ask, "Why have you been so zealous a friend of the sugar trust, etc.?"

The simplest and plainest answer to that question is that I have been one of its most uncompromising enemies. I have never seen a virtuous thing emanate from the sugar trust. I hope the law will be unsparing in its judgment of these offenders against the public conscience.

While I was a Member of the House of Representatives I struggled in every way in my power in the face of its opposition, to throttle this combination by the establishment of beet-sugar factories and refineries in every part of our country. Some of the fruits of our labors have already been realized. While there was an absolute monopoly in sugar refining in America when the Dingley law was passed, there are now 80 refineries, 16 of which are in our own State. The farmer raises the beet, and the Michigan workmen refine it into granulated sugar.

I know that the statement has often been made that the sugar trust has bought up these factories. I have abundant evidence that this is not true, although I have no means of knowing by whom the stock in these various Michigan enterprises is owned. Scores of individual stockholders, men and women, have appealed for protection against their foreign competitors. Sugar is an article of necessity. Nearly \$300,000,000 is expended annually for this product. I have for many years advocated our independence of foreign supply in order, first, that our fields and labor might be employed in its development; second, that the vast sum of money annually expended for sugar might not go out of our country, depleting our circulating medium, and drawing heavily upon our gold supply.

Several Republican state conventions have applauded the Michigan congressional delegation for its uncompromising stand upon this question, and I am not only proud of my associates who have thus voted to develop and sustain this industry, but have some little pride in my own course upon this matter down to and including the last vote I cast as a public official. I feel very sure that if the bars were to be thrown down and the sugar of Cuba and Europe should come in at our ports duty free, discouraging and breaking down the domestic industry, which has been built up under trying and adverse conditions and which has supplied the domestic sugar consumer with this necessary product at a less cost than ever before, would result—without domestic competition—in higher prices than our people are obliged to pay under present conditions.

You ask: "Why bar out pure sugar with a slightly brownish color, just as good for culinary purposes as the pure white sugar and costing less, by means of a color standard operating only to the advantage of the trust?"

I do not feel that this question could have been asked seriously. The readers of the Press can buy all of the unrefined brown sugar they may desire. More than a million tons is available duty free. The New Orleans Board of Trade sells 160,000 tons every year which does not go through refineries. The reason that all of the product from Louisiana and Porto Rico is not taken by the American people in its unrefined state is because they prefer to have it clean and clear from sirup, moisture, and dirt when it can be obtained substantially at the same price; yet the Louisiana sugar planter will be very glad to sell his raw sugar slightly brown in color to anyone who may desire it. The experience, however, of the Washington correspondent of the Evening Press may serve as a warning, for in his own household during the discussion of the sugar question Mr. Harvey thought he would experiment with the brown sugar propaganda and purchased from his grocer in Washington all the brown sugar he needed, paying for it more per pound than pure granulated sugar would cost. The "Dutch color standard" has no possible application to any sugar not taken through the custom-house, and does not apply to or restrict the sugar trade of Louisiana and our island possessions—Porto Rico and Hawaii—in any way.

Fourth, "Why did you publicly announce that you would not vote for a cotton schedule which raised (Dingley) rates and then in the face of the conclusive evidence, submitted in open Senate, vote for the Aldrich tables?"

The answer is plain; I said I would not vote to increase the Dingley rates on the cotton schedule. The Board of General Appraisers at New York, skilled in customs matters—both Democrats and Republicans—united in a written statement to the Senate that the rates were not increased by this bill. The Senators who know more about these schedules than anyone unfamiliar with their complicated details, in answer to my public question, said the rates were not increased over the Dingley law. Senator LODGE, of whom the same question was asked, said the rates were not increased, and that he would not vote for an increase.

I am well aware that several Senators made the statement that the rates were increased in the present bill, but when I asked for the source of their information, Mr. Parkhill, one of the customs officers in New York, having thirty years' experience in this branch of the customs service, was given as the authority. Later, however, when Mr. Parkhill joined the other customs officials in a statement denying this alleged increase, I accepted it as final upon this intricate problem, and I may add I would have voted to increase these rates if it had been necessary to retain the American market for our own cotton manufacturers, and the only reason I made the statement that I did on the floor of the Senate, and which is perfectly consistent with my vote, was because the cotton spinners themselves, through Mr. Leggett, stated before the Committee on Ways and Means that no increase in duty was necessary to protect this market from foreign invasion.

You ask, "Will you not explain why in your course in this matter you have repudiated the platform of your party and its leader, President Taft?"

I was elected United States Senator before that platform was made, and my views upon the question of protection were well known both to President Taft and the people of my State. In more than 156 speeches with President Taft I did not mention revision of the tariff, and if the matter had been left to my own judgment general tariff revision would not have taken place at this time; and yet, recognizing that the President is the leader of our party, and is in fact committed to tariff revision, the work of formulating the present bill has been undertaken by my associates and myself with a view to meeting the pledge he has given. More than 300 items have been reduced from the present Dingley rate, and others will follow. I voted for all of these reductions that have thus far been made and shall continue to vote for reductions wherever I feel that they can appropriately and safely be made without injury to American industries.

You ask "if the proposed bill would result in raising more revenue than under the Dingley law now in force, does that not mean that the new bill puts additional burdens on the consumer?"

I answer "No." If the "consumer" does not desire to contribute to the sum of money realized from customs duties on imported goods, he will not buy foreign-made goods, but will be content to patronize his neighbors and fellow-citizens in other walks of American production, and thus avoid the penalty of purchasing products made abroad.

Every prosperous country in the world restricts the importation of foreign products. This policy has made Germany and France prosper-

ous and has greatly strengthened and stimulated the industrial development of our neighbor, Canada. Surely the Evening Press will not insist that it is desirable for Congress to make it easy for our people to patronize the shops and manufacturers of Europe—at least, I shall not assent as Senator to such unwise experiments, with the memory of the last attempt of revenue reformers still clearly impressed upon my mind.

You ask, "How is Michigan labor benefited by the importation of foreign laborers by the carload for work in the beet fields?"

I answer, Where do these laborers come from? Surely they must have bettered their condition, or they would not remain here. Many sections of our country are unable to get laborers either for the farm, field, or factory, clearly indicating that most of the American people, whether native or foreign, are employed. Admit the beet sugar of Germany and the raw sugar of Cuba free, and the laborers now in this field, to which you have called attention, will return to their native lands as promptly as they came. While these laborers are competitors in one field of occupation with other American citizens, they are customers in almost every other line of employment, and as such help to swell the total of our commercial greatness.

You ask, "Is there not just as much money in other crops as there is in beets?"

I answer no. We have surplus wheat and ample agricultural products. Every immigrant that comes to our shores tends to reduce that surplus, and if he does not engage in the work of producing wheat and enters some other line of American employment, his coming, if he is honest and frugal, tends to place our people upon a more substantial footing than they might otherwise be if all were engaged in the same general work. Your question suggests a very excellent reason in itself for the encouragement of the domestic beet-sugar industry.

You say that "When the cotton schedule was under consideration it was shown that some of the Massachusetts mills in 1907, when the importation of cotton fabrics was at the highest tide, paid as high as 66 per cent dividends."

This question was asked on the floor of the Senate and answered by Senator LODGE, who has always been regarded as a truthful man, that these extensive profits were the collateral returns which certain cotton manufacturers were getting from the increased value of real estate holdings, which have been made very profitable by the presence of thousands of operatives in the manufacturing communities. Does the Press think that it would be wise for Congress to undertake to equalize the profits of enterprises and good investments by removing entirely or reducing the tariff upon cotton manufactures so low that the German cotton spinners could have easy access to our market? I read in the Senate the statement of the Augsburg Chamber of Commerce, a representative German organization, which said that the labor cost in the woolen industry in Augsburg is only about a third as great as that in the United States. Would the Press equalize this dissimilarity by removing customs duties? As a public servant I most emphatically decline to do so.

You ask, "Why have you not championed the cause of the Michigan tanners in their struggle to avoid being annihilated by the beef trust?" I have championed their cause. I am outspoken in my opposition to the tariff on hides. I told the editor of your paper many weeks ago that I would not vote to place a duty upon hides, but I can not very well champion the cause of Michigan tanners in the Senate until the hide schedule is reached, and we have not come to that yet. As the bill now stands hides are on the free list. In taking this position on the hide question I am entirely consistent with my record, for I voted for free hides when the Dingley bill passed the House of Representatives. No other country in the world has a tariff on hides, and the multiplied uses of leather make it absolutely necessary to draw our hide supply from a larger market, and I would not hesitate one moment to record myself in favor of this wholesome economic principle.

You ask, "Why * * * are you so loath to help the furniture factories in your own city * * * by granting slight reductions on the duty on plate glass?" The answer to this question can best be made by the chairman of the furniture manufacturers committee, Mr. E. H. Foote, and his associates, who came to Washington a few days ago, and not only found in me a sympathetic, helpful friend to their industry, but in perfect accord with them in their wishes and their desires.

You say I represent two and a half millions of people. This is a great honor. Most of them are engaged in profitable and remunerative employments. It is a delicate and difficult task to harmonize the tariff law so that each one will feel that his or her interest has been properly and appropriately safeguarded. We are doing our best with a most unenviable task, and if the readers of The Press will be patient until their work is done and has met the approval of the President of the United States, I shall be quite satisfied that our course will not have been harmful to the people we represent.

You ask if, as an observant public man, I have not noted that certain of my Republican colleagues, for whom I have the highest respect, have behind them the almost solid sentiment of the Middle States, including my own? In reply, permit me to say it is much easier to find fault than to construct; and when upon almost every roll call of the Senate I see these distinguished Senators voting with low-tariff and no-tariff Democrats, who opposed and denounced McKinley and Dingley in their lifetimes for their ultratariff views, and some of whom have already gone upon record many times in favor of free trade in agricultural implements and other products of American labor, I wonder whether the men who have always preached protection find their present company wholly congenial. I have no doubt whatever that a spirit of rebellion against the present leadership of the Senate would have brought me in general favor with those who have never been in sympathy with the Republican policy of protection, or who have felt that some other system might be devised which was not open to criticism; but if I had yielded to this un-American sentiment, I would have deserved your criticism, which I now feel has been at least hasty and perhaps even unkind.

WILLIAM ALDEN SMITH.

WASHINGTON, D. C., June 19, 1909.

Mr. BACON. Mr. President, a few days since I presented to the Senate as an appendix to a short address which I then made to the Senate a statement of the yea-and-nay votes which had been cast during the progress of the consideration of the tariff bill. I now ask that that may be printed as a document (S. Doc. No. 153).

The VICE-PRESIDENT. Is there objection?

Mr. KEAN. What is the request?

The VICE-PRESIDENT. That the statement of the yea-and-nay votes during this session as prepared by the Senator from Georgia be printed as a public document.

Mr. BACON. They were submitted by me two days since as an appendix to an address which I then made to the Senate.

Mr. KEAN. I have no objection, Mr. President.

The VICE-PRESIDENT. In the absence of objection, the order will be made.

The hour of 5.30 having arrived, the Senate stands in recess until 8 o'clock.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and after some delay the following Senators answered to their names:

Bailey	Clapp	Foster	Overman
Beveridge	Clay	Frazier	Page
Bourne	Crane	Gallinger	Penrose
Brandegee	Crawford	Gamble	Perkins
Briggs	Cummins	Heyburn	Piles
Bristow	Daniel	Hughes	Scott
Brown	Dick	Johnson, N. Dak.	Smith, S. C.
Bulkeley	Dillingham	Jones	Smoot
Burnham	Dolliver	Kean	Stephenson
Carter	Fletcher	McLaurin	Warren
Chamberlain	Flint	Nelson	Wetmore

The VICE-PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present.

Mr. NELSON. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

Mr. KEAN. I suggest to the Senator from Minnesota that the first order is that the names of the absentees be called.

Mr. NELSON. Very well. I should like to have the members of the Committee on Finance here. They ought to be present.

The VICE-PRESIDENT. The Chair understands that the Senator from Minnesota withdraws his motion for the present.

Mr. NELSON. I withhold it. Let the names of the absent Senators be called.

The VICE-PRESIDENT. The Secretary will call the names of the Senators who have not yet answered to the roll call.

The Secretary called the names of the absent Senators, and Mr. STONE answered to his name.

Mr. CURTIS entered the Chamber and answered to his name.

The VICE-PRESIDENT. Forty-six Senators have answered to the roll call, one less than a quorum.

Mr. SMOOT. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. LODGE entered the Chamber and answered to his name.

The VICE-PRESIDENT. A quorum of the Senate is now present. If there be no objection, the order to the Sergeant-at-Arms will be annulled. Is there objection? The Chair hears none.

HOOR OF MEETING TO-MORROW.

Mr. SMOOT. I move that when the Senate adjourns to-day it be to meet to-morrow at 10 o'clock.

Mr. BEVERIDGE. I suggest to the Senator that he withhold the motion until later in the evening, so that we may determine whether it will suit the convenience of Senators, on account of the number of speeches which may have to be delivered, to meet at an earlier hour than 10. To meet at 10 will give just four hours to-morrow; we can not until later know how many Senators will speak to-night, and it might produce an embarrassing situation. For example, if we should meet at 10 o'clock to-morrow morning and there are a number of Senators who desire to be heard, and it would be found that there would not be a quorum, as has been the case to-night, and we would waste half an hour, it would leave only three and a half hours. I think the Senator from Utah will see the reasonableness of deferring the motion until later in the evening.

Mr. SMOOT. The reason why I make the motion at this time is on account of the chance, I may say, of some one raising the question of the lack of a quorum, and if—

Mr. BEVERIDGE. Then make it 9 o'clock.

Mr. SMOOT. If there would not be a quorum present, we could only adjourn until 12 o'clock to-morrow morning, and then we would have only two hours. So I wanted to be absolutely certain that when we do adjourn to-day it should be to meet to-morrow at 10 o'clock.

Mr. BEVERIDGE. I concede the reasonableness of that, but I hope that the eloquent speeches we are about to listen to from various Senators will detain us all in our seats. If the Senator thinks that the chance is serious, I suggest that he make it 9 o'clock. It would be too bad if we met at 10 and Senators

would not want to come early and a quorum should not be here; and no harm will be done.

Mr. SMOOT. We virtually had it understood—

Mr. GALLINGER. Mr. President, the motion is not debatable. I make that point.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Utah.

Mr. STONE. What is the motion?

The VICE-PRESIDENT. That when the Senate adjourns to-day it be to meet at 10 o'clock to-morrow morning. The question is on that motion.

The motion was agreed to.

TANSAN MINERAL WATER.

Mr. WARREN. I ask for a reprint, with corrections, of Senate Document No. 124, this session, being a letter from Edward Bedloe, inclosing a petition asking for a removal of the duty on Tansan mineral water imported from Japan.

The VICE-PRESIDENT. Without objection, it will be so ordered.

THE TARIFF.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CUMMINS. Mr. President, I know how futile it is to address the Senate at this time and under the circumstances that now surround us. Inasmuch, however, as I do not agree with the Finance Committee or with the conference committee, and inasmuch as it seems probable that I will not be in harmony with the majority of my Republican associates, I take this opportunity to state the reasons for the conclusions that I intend to record in my vote upon the roll call. With respect to certain phases of my address, I am so desirous of saying not more than I mean nor less than I mean that I have put a part of it in writing.

Mr. President, if I were asked by the senior Democratic member of the conference committee, "Is the tariff bill now before us better than any tariff bill that could be framed upon the principle of duties levied for revenue only?" I would unhesitatingly answer, "Yes."

If I were asked by the senior Republican member of the conference committee, "Is this bill better than the existing law?" I would be compelled to pause and seriously reflect before I could make reply. I am willing to admit, glad to admit, that, considering the schedules alone, I believe the bill upon which we are about to vote is a little better than the Dingley Act; but when other features of the measure are taken into consideration, I gravely doubt whether it is any improvement upon the existing statute.

My vote, however, will not be determined by any such nice and delicate distinctions. I am opposed to the conference report and to the bill which it embodies because it is not such a revision of the tariff as I have expended the best years of my life in fighting for and is not a fair and reasonable performance of the promise of our platform. This is not a court of bankruptcy, and I am not willing to accept ten cents on the dollar in discharge of the obligations of the Republican party. It always has been, and is now, a solvent organization, and it is not only able, but its rank and file will insist upon paying its debt in full. Its pledges will be redeemed at par, and although the blindness of some of its leaders may at this time postpone the day of redemption, I shall await with patience, confidence, and serenity the hour at which it will keep full and complete faith with the American people.

I have witnessed with the deepest interest the controversy between the President and the conference committee, and I take this opportunity to express my admiration and applause for the courage and persistence of the President in attempting to secure and, to a degree, in securing lower rates in the range of dispute between the House and the Senate, although I do not agree entirely with him upon all the items of his demand. The range was very narrow, and the President has done all that one man could for the betterment of the bill. I do not doubt that if he had determined these duties from beginning to end and his unrestricted decision were embodied in the report now before us it would receive my enthusiastic support. I say this with the full consciousness that he will sign the bill and that it will become a law with his assent. I recognize that there is a fundamental difference between the veto power and the voting power. An Executive ought not to veto a measure simply because he would have voted against it had he been a member of the legislative body that passed it. When he signs the bill, by that act he says only that it is a constitutional exercise of leg-

islative authority, and that it is not so subversive of a vital public policy as to warrant the substitution of his will for that of Congress; but if I should vote for it, I must be able to say that within the fair limits of concession and varying views it embodies my opinions respecting the subject with which it deals.

The question that I must now answer is not whether we should continue the doctrine of protection, for it is already a part of the law of the land, and I earnestly hope and profoundly believe that it will always continue our economic and industrial corner stone. It is not whether I believe this bill is in some respects better than the Dingley Act; but it is whether I am willing to abide by this revision during the ordinary life of a tariff law, and take it as the fruits of the long campaign for a reduction in duties and as the fulfillment of the declaration of my party platform.

For eight years I have been advocating a revision. With me it has not been an agitation merely to disturb the peace and tranquillity of the country. During all these years, in season and out of season, through good and evil report, I have been appealing for a reduction of the tariff along definite lines and to accomplish a definite purpose. I have always admitted that with respect to those commodities of which we are capable of supplying the home demand, duties, however high, do no harm so long as there exists effectual competition between our own producers; and I repeat that admission now. I have seen, however, competition in the most important fields of production grow weaker and weaker, until it has been easy to perceive that with many things prices have not been fixed by the fundamental and essential law of commerce, but have been fixed by the arbitrary will of the producer, and solely with reference to the utmost profit that trade would bear. Under these conditions it seemed to me that excessive duties would necessarily become a shield for avarice and greed. It seemed to me that duties should be so adjusted as to prevent the domestic producer from raising his price above a fair American level without exposing himself to foreign competition. I have never advocated revision to increase importations, for I hail the day when we will fill our markets with every commodity that a bountiful nature and an energetic manhood enable us to produce; but the fear of importations when prices are unduly advanced should be preserved, if we would curb the tendencies of modern times. These were the only reasons known to me for a revision of the tariff; and I will never vote for a revision that does not follow, or attempt to follow, these lines of economic thought, for if they are not observed a revision is not only useless, but a crime against the peace and quiet of a great industrial community.

The platform announced at Chicago recognized not only the letter but the spirit of the demand. There is but one standard of duties which will accomplish the result I have tried to describe. Duties are fixed at the proper point when the domestic producers can enter the domestic markets upon even terms with their foreign competitors and hold these markets at a fair producers' profit. If it were not the purpose of the Republican party to lay such duties upon imports as would at the same time protect the domestic producers from inequalities of condition and protect the American consumer from prices established without domestic competition, then my mind has lost its power to understand the history of recent years or grasp the meaning of my mother tongue.

The criterion of protection, to which we are all pledged, was promulgated solely to insure duties that would at once prevent unfair competition from abroad and unfair combinations at home. So interpreting the platform of the party of which I am a member, I will never vote for a revision that does not attempt, at least, to carry its mandate into effect.

My brother Senators will, I am sure, acquit me of an intent to impugn their motives, although I take the liberty of criticising their judgments. I grant them all the honesty I claim for myself. They will therefore understand that I am not impugning their purposes or their patriotism when I say that the majority, which favors the duties of this bill, and the Finance Committee, which has given expression to this revision, have scouted the danger out of which the demand for revision arose, have ignored the only beneficial object which a revision can accomplish, and have repudiated the rule for the measurement of duties, which to me is as obligatory as any article in the party faith. The Finance Committee, composed as it is, holding the opinions which a majority of its members do, could not propose such a revision of the tariff as, in my judgment, the needs of the people require and our platform promises. They undertook the task—and I do not speak lightly, for it has been hour after hour forced into my own mind against my own desire—believing that there was no necessity for lowering the duties, and they have made such reductions only as seemed to be necessary to satisfy what they felt was no more than a baseless and senseless clamor.

They do not look at public affairs from the standpoint occupied by those who have insisted that as between foreign competition and domestic monopoly the former should be preferred. They see no menace in the extinguishment of trade rivalry. From a committee so constituted, and from a majority in sympathy with it, the revision for which I have been hoping, and for which I believe the party declared, was no more possible than it would have been to drive John Calvin into an abandonment of the doctrine of infant damnation.

We are all fallible. The committee and the majority may be right and I may be wrong; but even as they could not adopt a revision along the lines for which I have been contending, no more can I vote for a revision which repudiates every reason I have ever given for a reduction of duties upon imports. There remains but one tribunal to which we can appeal for final decision, and I go confidently once more to ask judgment at the hands of the Republican voters.

I do not intend to present in detail my objections to the several paragraphs of the bill. I shall take them up somewhat generally, and for the purpose only of establishing my proposition that the changes made in them do not accomplish anything substantial toward the object, and the only object, that a revision of the tariff should have in view.

The first schedule in this bill relates to chemicals, oils, and so forth. It may be, probably is, a trifle lower than the Dingley law. I believe there is some reduction in Schedule A. I have not had an opportunity, in the midst of other work which seemed to me to be imperative, to investigate with regard to the difference in the cost of producing these chemicals and these oils here and abroad, and I pass that schedule with the grant that there is a slight reduction in its duties.

Schedule B embraces earthenware, china ware, glass, and glassware, marble, stone, and the like. This schedule, notwithstanding the tables I have seen prepared, both by Republicans and Democrats, is increased as compared with the Dingley law. There is no reduction in the duties of Schedule B. There are changes in some of its items, reductions in some of its items; but I say now—and I shall be prepared to defend this statement, although it is utterly impossible for me to enter upon the consideration of its details to-night—that the duties of Schedule B have been increased rather than decreased. There is a trifling reduction in the duties upon common window glass. I did all that I could in the passage of the bill through the Senate to secure a substantial lowering of the duties upon this commodity.

I succeeded only in a very slight degree. But even that degree disappeared in a great measure under the melting influences of the conference committee, and now the change is so inconsequential that it would require a magnifying glass to discern the difference between the duties upon some of the sizes of common glass and the duties of the Dingley law.

In plate glass, with respect to the two smaller brackets, so-called, the duties have been increased 25 per cent above the Dingley law, and while it is true that the duties upon the very highest class or largest size of plate glass have been reduced, the reduction is entirely immaterial, because no manufacturer of glass in the United States ever did or ever could take advantage of the absurd duty of 35 cents a square foot upon plate glass.

So, without going into details, I want to record it as not only my judgment, but as my unqualified statement, that there has been no reduction in the duties upon the multitude of articles in Schedule B which enter into the life of the people of this country.

I pass now to Schedule C. It is the schedule which relates to metals and their manufactures, and with regard to this schedule and with respect especially to what is known as "tonnage steel," there has been a marked reduction of the duty.

There is no other schedule in the bill which indicates reductions comparable with Schedule C, and notwithstanding it is so, I declare, knowing the responsibility I assume when I make the declaration, that so far as the people who buy iron and steel are concerned, they would have been quite as well off if there had been no reduction whatsoever. I will as briefly as possible explain why I believe that the Congress might just as well have reenacted the Dingley rates upon iron and steel as to make the reductions which appear in the conference report.

As I said a few moments ago, the reason for reducing duties is to prevent either one interest or a combination of interests from raising the price above the fair American level without the fear of foreign intervention. There is no other reason for decreasing duties; and these duties have not yet been brought to the point at which there is the slightest danger of foreign rivalry, even though the United States Steel Corporation were

to raise upon an average the prices of iron and steel \$4 per ton above the prices that now prevail.

Even while we have been debating, this vast monopoly—and I speak of it as a monopoly, because it is known to all men that it dominates and fixes the price of every pound of iron and steel sold in the United States—has increased the prices of some of its products, and this advance simply promises what we shall see in all its products in a very brief period.

But there is no danger that the United States Steel Corporation will raise the price of these products to the point to which they could be raised under the duties of this law, because it always has in view another restriction—the only one when competition disappears—namely, the fear of killing the goose that lays the golden egg. The United States Steel Corporation recognizes just one rule of trade, and it is intelligent enough to apply that rule sagaciously. It is to raise its prices only to the point where the demand will afford it the highest possible profit.

I endeavored to show—and if figures and mathematics and reports can show anything, I did show—in the early part of this debate that upon the products of the United States Steel Corporation during the year 1908, the poorest year it has ever had, with prices lower than they have ever been, with demand less than it has ever experienced, it still sold its more than 6,000,000 tons of finished product at \$9 a ton more than necessary in order to realize a fair profit upon the capital actually invested in its enterprise. And yet we are enacting duties here that will enable this company, if it desires, to raise its prices upon the average \$4 a ton more than prevailed in 1908, without the danger of foreign competition, and yet we console ourselves with the dream that this is a revision of the tariff for the purpose of protecting the American people against the greed and the avarice of such combinations as I have described.

What use is it to reduce the duties unless you reduce them to the point where they will create the danger of foreign competition, if prices are unduly advanced? I care to say no more about the reductions.

I have here a table, which I shall ask to submit and have printed with my remarks, analyzing the duties that are now fixed upon the great products of the iron and steel business.

The table referred to is as follows:

Table showing the duties upon the iron and steel business.

	Per ton.
1. Bar and round iron.....	\$6 to \$12
2. Structural steel.....	\$6 to \$18
3. Boiler and other plate, iron and steel.....	\$6 to \$12
4. Anchors, forgings, etc.....	\$20 up.
5. Hoop and band steel, etc.....	\$6 to \$14
6. Steel rails.....	\$3.50
7. Fish plates and splice bars, etc.....	\$6
8. Sheet iron or steel.....	\$10 to \$20
9. Galvanized iron or steel plates (excepting tin plates, etc.).....	\$14 to \$24
10. Polished or planished plates, etc.....	\$30
11. Tin plates, etc.....	\$22
12. Ingots, blooms, slabs, billets, bars, etc.....	\$3.50 to \$140
13. Wire rods.....	\$6 to \$12
14. Wire.....	\$25 up.
15. Axles and axle blanks.....	\$15 up.
16. Bolts and blanks, etc.....	\$22.50
17. Cast iron pipe, etc.....	\$5
18. Chains, etc.....	\$17.50 to \$60
19. Tubes, flues, etc.....	\$20 to \$40
20. Cut nails.....	\$8
21. Wire nails.....	\$8 to \$15
22. Spikes, etc.....	\$15

Mr. CUMMINS. I remember; and seeing before me the Senator from New York [Mr. DEPEW], who now gives me his attention—

Mr. DEPEW. I have given it before.

Mr. CUMMINS. I am reminded of the rather critical remark made by him some time ago concerning my address upon iron and steel. He wondered how it was that the United States Steel Corporation could sell its product at \$9 a ton more than would realize it a fair profit, when the duty on steel rails was but \$7.84 a ton. That may be mysterious to the Senator from New York. It would be very mysterious to anyone if steel rails were the only product of the United States Steel Corporation, but if he will reflect that the average duties upon the products of the United States Steel Corporation under the Dingley law were more than \$18 a ton, I think the mystery will disappear; and the average rate under this law—I am not attempting to express it with absolute accuracy—is more than \$10 per ton, when everybody admits that the United States Steel Corporation is making its products as cheaply as they can be made anywhere on earth, and they admit at the same time that the so-called "independent producers" make their products for not more than \$2 or \$3 in excess of the cost of the products manufactured by the United States Steel Corporation.

I should like some one to explain how we have accomplished any desirable result by bringing down these duties largely, as we have, but arresting our energy and arresting our care at a

point that will still enable these companies, and especially the United States Steel Corporation, to lift its prices upon every product of its mills and factories \$4 a ton more than they now are, and yet find a bulwark at every port of entry in the United States that will prevent the importation of a single pound or a single ton of foreign manufacture.

Mr. DEPEW. Does that proposition apply to steel rails, which we now reduce 50 per cent?

Mr. CUMMINS. It applies to steel rails along with all the others. Steel rails have now a duty fixed at \$3.50 a ton, considering a ton at 2,000 pounds; \$3.92, considering the long ton of commerce. Steel rails are selling at \$28 a ton. They have been selling at \$28 a ton for many years. They will continue to sell at \$28 a ton. They could raise the price of steel rails \$1 a ton and still be immune from foreign competition.

Mr. DEPEW. I am told by steel men that at \$3.50 a ton Krupp can successfully compete east of the Alleghenies.

Mr. CUMMINS. The Senator from New York undoubtedly has been so informed by a steel man. I have no doubt of that. I do not, however, believe the statement, although I do not question the accuracy with which the Senator from New York transmits it to the Senate.

I know something about the cost of steel rails, because it is one of the few subjects to which I have given all the study of which I am capable.

Mr. DEPEW. Thanking the Senator for his tribute to my honesty and also to my credulity, would he believe anything any steel man might say?

Mr. CUMMINS. I would. I believe very much of the testimony delivered before the Ways and Means Committee, and it is upon that testimony largely that I make the statement I have just made.

I venture the prediction that save in an exceptional instance now and then steel rails will not be imported so long as the price remains at \$28 a ton, and that they would not be imported if that price were raised \$1 per ton.

The difficulty of the Senator from New York, and it is a difficulty that I find is very prevalent, is that every product of the United States Steel Corporation is measured by steel rails. The duty is \$3.50 a ton, and the duty upon other products of the mill greater in value, greater in quantity, greater so far as the commerce of the United States is concerned, is from \$5 and \$6 a ton to \$40 a ton. The duties here are indefensible, and they will not accomplish the purpose for which this revision was undertaken, so far as steel is concerned.

I have now said all I care to say in regard to the products generally. But there is one product upon which the duty is immensely increased, which has done or will do the American people more harm, infinitely more harm, than the reduction of all the duties that are found in Schedule C.

Under the Dingley law, the duty on structural steel of all kinds, structural shapes of all kinds, was \$10 per ton; and because one building in New York has been constructed of imported structural steel, imported, as I am informed, because our home mills could not and would not furnish the steel at the time the owners of the property desired it, simply because of that fact, the duty upon structural steel has been raised so that at \$35 per ton for structural steel it is \$16 per ton in duty; and if the price should go to \$40 a ton, it is \$18 per ton duty.

The House fixed the duty at \$6 per ton, and the Senate, in a very accommodating spirit, segregated the real heart of the structural-steel business by saying "but not assembled or advanced beyond rolling, casting, and hammering," describing in that way a product which no American consumer has ever bought, or ever will buy.

Now, while I shall not stop to argue upon the details of it, because I recognize that it is simply my judgment being recorded in this address, as to structural steel, the use of which is advancing more rapidly than any other form of steel, just as rapidly as wood bridges give way to steel structures, just as rapidly as brick buildings or stone buildings give way to steel structures, this commodity has been raised 60 per cent above the Dingley law and more than 100 per cent above the duty fixed by the House.

I can not understand the blindness of men who will insist upon a duty of that kind, and, even if they thought the other reductions in the steel schedule were material, mar the effect of their work with such a gross injustice upon those who must buy this commodity in the future.

Mr. DEPEW. Mr. President, just one word.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. I do.

Mr. DEPEW. As I have listened to the Senator's speech, he proceeds upon the assumption that my information has been

received from the officers of the United States Steel Corporation. I have not heard from any officer of the United States Steel Corporation. So far as I am concerned, they seem to be indifferent as to what may be done. But my information has come entirely from the independent steel manufacturers of the State of New York, who have made no money in the last five years.

Mr. CUMMINS. Mr. President, I do not know why the Senator from New York inferred that I believed his communication had been with an officer of the United States Steel Corporation, but if he did so infer, while the inference was undoubtedly inaccurate, there must have been some great truth in what I am saying, even from his standpoint, that led him to the suggestion just made. That is the grain of truth in the attitude of the United States Steel Corporation toward the business as a whole.

Mr. SMOOT. Mr. President—

Mr. CUMMINS. I am going to yield to the Senator from Utah, but I hope that I may be allowed to go on after that time, because I make the suggestion now that this is not the hour and the place to enter into a close discussion with regard to details. If I am wrong in what I say, there is a great tribunal which will enter its judgment against me. I now yield to the Senator from Utah.

Mr. SMOOT. I simply wanted to call attention to the fact that the Senator is mistaken in the present rate on structural steel. The present rate on structural steel is, I think, six-tenths of a cent a pound, or \$12 a ton; and the Senator must certainly know that even at \$12 a ton, the rate to-day, upon the Pacific coast last year there were 35,000 tons of structural steel imported. I believe fully, and I do not see how the Senator can feel otherwise, that with the rate of three-tenths of a cent per pound, or \$6 per ton, upon structural steel valued at \$18 per ton or under, the whole of the Pacific coast market will be taken away from the American trade. The present rate is \$12. The rate in this bill is \$6. At \$12 a ton there were 35,000 tons imported to the Pacific coast last year.

Mr. CUMMINS. I did not intend to be tempted into a discussion of the matter. The fallacy in the suggestion of the Senator from Utah has been exposed time and again during the course of this debate. I may be wrong, but my recollection is that the duty upon structural steel of all kinds, whether assembled or otherwise, in the Dingley law is \$10 a ton, which, as I compute—

Mr. DOLLIVER. Five-tenths of a cent per pound.

Mr. CUMMINS. Which, as I computed it, means \$10 a ton. Therefore the Senator from Utah is wrong in his premise. It is not \$12 a ton, but \$10 a ton. The House reduced it to \$6 per ton, or three-tenths of a cent per pound, and that included all kinds of structural steel, using exactly the language found in the Dingley law. But the Senate separated unfinished structural steel from finished structural steel, and attached a duty of \$8 a ton upon unfinished structural steel worth less than \$19 a ton and five-tenths of a cent, or \$10 a ton, upon unfinished structural steel worth more than \$19 a ton. I say there is no structural steel worth \$19 a ton or less. It is an abuse of words. It is a deceit upon the American people. Pig iron is worth \$17.50 a ton in the United States at many times. I do not know just what it is worth now, but it is certainly now worth \$16 a ton; and yet you tell me that there is a form of structural steel worth only \$19 a ton. The statement refutes itself. Steel rails as they come straight from the rolls, punched only, a very inexpensive process, sell in the United States for \$28 a ton.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Will the Senator from Iowa further yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. The Senator is speaking of the American price of pig iron.

Mr. CUMMINS. I am.

Mr. SMOOT. And he is also speaking of the American price of structural steel. But he must remember this—

Mr. CUMMINS. I am not speaking of the American price of structural steel. I have not spoken of any price of structural steel.

Mr. SMOOT. The Senator was speaking of the price of structural steel, a form of structural steel as not being worth \$19 anywhere. I say to the Senator that on structural steel in a foreign country—and that is the place we have to take the price into consideration in placing duties upon it—there is a price of \$19 per ton.

Mr. CUMMINS. Mr. President, I deny that statement, although I have no doubt the Senator from Utah believes it to be true. The difference between the Senator from Utah and myself is that we are not talking of the same thing. I do not speak of structural steel as the bar of steel as it comes from

the roll. I am speaking of structural steel in the form in which the people of the United States who desire to use it buy it. You might as well speak of the value of a steel rail red hot, as it has passed halfway through the process of manufacture, as to speak of the kind of structural steel that is in the mind of the Senator from Utah.

Mr. SMOOT. Mr. President, the kind of structural steel in my mind has been shipped to the Pacific coast, and I have a great many of the invoices in my office, showing that the steel does not cost at port of shipment \$19 per ton.

Mr. CUMMINS. Mr. President, I do not intend to argue the matter with the Senator from Utah. I know precisely what he means, but the people of the United States do not understand what he means.

I know that there is an unfinished product, one that has only passed halfway through the process of manufacture, which may be bought in some of the markets of the world for \$19 or \$20 per ton. But it is not the structural steel named in the Dingley law; it is not the structural steel named in the pending bill as it passed the House of Representatives; and it is only because of the inordinate desire which has been displayed from the very beginning in the Senate to lift these duties beyond any reasonable point and beyond the point of protection that it became necessary to separate this structural steel into an unfinished class, upon which you attach duties still higher than the House attached to the finished product and put the finished product, that which the people of this country buy, under the basket clause.

I do not know whether the Finance Committee hoped that the duty which now falls upon structural steel would escape the notice of the public or not; but if it did not, why did it not say in the paragraph itself that all other forms of structural steel should bear a duty of 45 per cent ad valorem?

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa further yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I think the importations show that there is over 90 per cent of the structural steel coming into this country that falls under the lower rate—that is, at three-tenths and four-tenths of a cent per pound.

Mr. CUMMINS. Mr. President, this is no hour to even consider the prophecies of the Senator from Utah. I do not believe that they will be fulfilled. My purpose only is at this moment to show that instead of reducing the duties upon structural steel, or instead of leaving them where they were, as fixed under the conditions of 1897, we have raised the duties upon them, as I compute, 60 per cent above the Dingley law and more than 100 per cent above the rate originally fixed by the House.

There are many other things that have been raised in the metal schedule that I have not the time to consider. While in some instances we have reduced the duties upon cutlery, as a whole the cutlery schedule has been raised. You have given to manufacturers of the United States an unjust and unfair advantage that they did not possess before. While you have not in most instances increased the nominal duties, and while in some instances you have lowered these duties, upon the whole there is less protection to the American consumer in cutlery against the avarice, if that avarice ever has an opportunity to gratify itself, of the American manufacturer than there was under the Dingley law.

The duties upon watches in the metal schedule are set forth in very great detail. The duties on watches have been increased in some instances. As in the case of cutlery, the fixed ad valorem or the fixed specific in a few cases has been lowered. But mark my words: Those who control the watch business of the United States, by reason of the conditions—onerous, and in some respects ridiculous, conditions—that have been attached to the watch schedule, will find it easier to work their will upon the American consumer than they did before.

Therefore, while I grant that there has been a marked reduction in tonnage steel, but not such a reduction as will confer any benefit or any advantage upon the consumers of the United States, in other respects you have neutralized, you have overcome, all the benefits that from your standpoint you were giving to the people by these lower duties by raising the taxes upon structural steel, upon watches, and upon a great many other things that I could mention in this schedule had I the time to do so.

I pass now to Schedule D, wood. The duty has been lowered upon boards, planks. I recognize that, and I am very glad of it. I acknowledge some benefit that will ensue to the consuming public on account of the reduction in the duties upon boards. They ought to have been free, simply because you can produce them in this country cheaper than they can produce them anywhere else on earth, as I believe. But when a man does me a

partial favor I am willing to acknowledge it; and while, unless he is a bankrupt, I am not willing to accept any partial payment of a debt, yet I am always willing to give him credit for a good intention.

But why did you increase the duty upon timber 50 per cent over the Dingley law? I wish somebody would answer that question; not now, but to-morrow, when those who believe that this bill ought to become a law will speak. Tell me why the duty upon timber was increased 50 per cent over the Dingley rate. In the Dingley law, timber squared by either hewing or sawing, or in any other method, bore a duty of 1 cent per cubic foot, the timber being 8 inches or more upon a side.

When the bill came from the House to the Senate it was observed, and the senior Senator from Minnesota [Mr. NELSON] called the attention of the Senate to it, that there had been carefully interpolated the words "hewn or squared otherwise than by sawing," excluding thereby all the squared timber that has been or could be brought into the United States, because in these days we do not hew timber, we saw timber. Upon the suggestion of the Senator from Minnesota the conscience of the Senate was so shocked that instantly those words were stricken from the proposed law, and the Senate adopted that paragraph saying "timber squared, no matter how squared, 1 cent per cubic foot." It passed into the sacred precincts of the conference committee room, and there the zealous friends of a high duty upon lumber found their opportunity, and there were restored the words which had been wrought into the bill in the House and which had been stricken from the bill in the Senate; and it is now squared otherwise than by sawing.

So every foot of timber that comes into the United States hereafter will come in not under the paragraph relating to timber; it will come in under the paragraph relating to boards. And what will be the duty? There are 12 feet of board measure in a cubic foot of timber. There will be 12 boards, and they will come in at the rate of \$1.25 a thousand if they have not been finished in any way. And what is that rate? It is just 50 per cent more than 1 cent per cubic foot. Therefore you have done much to neutralize the benefit that you conferred upon the American people by reducing lumber to \$1.25 per thousand.

And not only so, but you raised the duty upon shingles 66 2/3 per cent, from 30 cents a thousand to 50 cents a thousand. I shall not stop to inquire into the justice of this increase; I am only trying to see whether we have revised this tariff in accordance with what I believe to be the spirit of the Republican party and in accordance with what I know to be the demands of its platform announced at Chicago. While I am willing to say that there has been on the whole a little reduction in the lumber schedule, it is not that reduction which we even in the Senate believed should be made when the bill passed from our care into the care of the conference committee.

Schedule E is the next schedule—sugar. I am not going at this time to detain you a single moment with respect to the merits of the duties upon sugar. I only want you to remember that we have reduced the duty upon refined sugar 5 cents per hundred pounds. There is no Senator who believes that this is a substantial reduction. There are many Senators who believe that there ought to be no reduction. I shall not present my views upon that subject. But while reducing the duties on sugar 5 cents per hundred pounds, how long, I ask my colleague, will it take a man to acquire 5 cents' benefit out of that reduction? He must eat sugar constantly for two years in order to be benefited. But I pass that.

I complain more particularly of the determination upon the part of the Senate to preserve for the American Sugar Refining Company the differential which, as it is now crystallized into this law, will enable it to continue its campaign of depredation and fraud and crime. My complaint is that you have given no opportunity in this readjustment of the tariff schedule for the honest, the struggling, the independent sugar refiner, and of course have not benefited in any degree the sugar producer. It will not be claimed by anybody, I am sure, that we have revised the sugar and molasses tariff downward.

Schedule F relates to tobacco. I do not know anything about tobacco. My friend the Senator from Indiana [Mr. BEVERIDGE] knows all there is to know about tobacco. But I believe it is not claimed that we have reduced the duty on imported tobacco. That, at least, is not suggested, although I have heard my distinguished friend the Senator from Connecticut [Mr. BULKELEY] complain a little about a supposed invasion of tobacco from the Philippines. I pass that schedule, because it has not been revised downward, and there is no pretense that it has.

Schedule G comprises agricultural products and provisions. I wish my friend from North Dakota [Mr. McCUMBER] were here to sympathize with me at this moment. No one claims that there has been any revision downward in the agricultural

schedule, I believe; but I have heard sighs of discontent from this quarter in reflecting upon his want of success in revising it upward. I come from an agricultural region. I know that most of the duties upon agricultural products give the producer no benefit whatever.

I am induced at this moment to tell you about what sort of a reception I will have when I get home. A day or two ago there came to me a paper published daily by a very distinguished Republican, who has made my life somewhat troublesome for the last few years, and this is the purport of the editorial. It said:

Prepare for a reception for our distinguished junior Senator. He went about the prairies of Iowa for eight years storming for a revision of the tariff. He finally accomplished his ambition and was sent to the Senate, where he has been talking most of the winter, much to the disgust of those who have heard him. He is about to return, and he carries his trophy with him—free hides. The thing that the Iowa farmer wants most is a reasonable duty on hides, and that is the only thing that he did not get.

I pass the agricultural schedule, for there is no pretense of a revision downward. There is some suggestion of a revision upward, for I reflect that California will hereafter supply us with lemons taxed at a cent and a half a pound, as distinguished from the cent a pound that we formerly enjoyed.

Mr. WARREN and Mr. PERKINS addressed the Chair.

The VICE-PRESIDENT. Does the Senator from Iowa yield?

Mr. CUMMINS. I do, to both Senators. [Laughter.]

Mr. WARREN. Before the Senator from Iowa gets to lemons, I should like to ask what his friend, who is preparing his reception at home, estimates the damage upon the trophy which the Senator from Iowa is to take home to the farmers of Iowa?

Mr. CUMMINS. Mr. President, if I did not know that the Senator from Wyoming was such a friend of hides, I should feel somewhat reluctant to answer that question. I say in advance that I do not believe the statement. The editor says that I have taken away from the farmers of Iowa \$5,000,000 per annum. Although I voted against free hides and although I voted for a duty of 15 per cent after I had failed to reduce the duty to 10 per cent, while I have always been opposed to free hides, it has become my mournful fate to return to the bosom of my community wrapped only in free hides. [Laughter.]

Mr. PERKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from California?

Mr. CUMMINS. I do.

Mr. PERKINS. Mr. President, in relation to lemons, I will say the duty on lemons is only about 54 per cent, only one-half of what it is on many articles to which the Senator has referred. I think that which influenced the Committee on Finance more than anything else in fixing the duty at a cent and a half a pound were the numerous petitions which came from Iowa, presented by the senior Senator from Iowa [Mr. DOLLIVER], asking that a duty of a cent and a half be advocated by him and voted for in the Senate. It seems to me that that perhaps had more influence in obtaining the duty which is now fixed than any other influence which was brought to bear.

Mr. President, I wish to say that many friends from Iowa have settled in California, and they are among our best citizens. When we placed a duty of 12 cents on raisins they were selling at from 10 to 15 cents per pound. To-day they are selling at 3 cents a pound, which has been brought about by their cultivation in California to such an extent as to supply the whole United States. We have had the same experience in reference to lemons. The difference in the price of lemons produced in California is only the difference in freight from California to the East and the freight charge from Sicily, southern Italy, and the islands of the West Indies to the United States.

Mr. CUMMINS. But, Mr. President, I did not intend to enter into a discussion as to the merits of this increase, but I at least—

Mr. DOLLIVER. If my colleague will permit me, I think I ought to say that while undoubtedly these petitions represented the heartfelt yearning of Iowa in respect to lemons, it was my misfortune to be compelled to present them after the transaction was over. [Laughter.]

Mr. CUMMINS. Mr. President, I know that Iowa is heartily for a cent and a half duty on lemons. [Laughter.]

Mr. PERKINS. One of those petitions was from my friend's own city of Des Moines.

Mr. CUMMINS. Yes; I have three or four of them. I did not present them. There came with one of them such a pathetic letter that I had it not in my heart to present the petition without presenting the letter also; and the letter described so graphically the immense trouble which the writer had experienced in securing signatures to the petition that I felt it would neutralize to some extent the effect of the petition itself, and therefore I withheld it. [Laughter.]

But I am not to-night complaining of any duty. I am simply showing that duties have not been decreased; I am simply showing that this is no revision in the direction which I supposed we would take when we were assembled here in special session.

I think also that there is a marked increase in certain commodities manufactured by the cracker trust. I do not know why. I do not criticize it, but I find it in the bill. However, I pass the agricultural schedule with the statement that the duties have not been materially decreased and with the expression of the belief that they ought to have been materially decreased. I do not stand for unnecessary duties for the farmer any more than I do for unnecessary duties for the manufacturer. They all ought to be judged by the same law; they all should be measured by the same standard. I have never fallen into the habit of believing that the farmer was less intelligent than the other citizens of the United States. I have never thought that he could be deceived by giving to him something that was of no benefit or advantage to him, in order that he might be reconciled to an invasion of his dearest privileges. So I think the farmers of the West will stand as firmly for a fair revision and reduction of their duties as they will insist upon a fair revision and reduction of the duties upon other products of the country.

Schedule H relates to spirits, and even the most enthusiastic advocate of the bill has not yet said that there has been any serious reduction in the duty on spirits. I do not complain of that. I think the advances in that schedule are exceedingly wise, and I hope that they will be productive of all the good that is expected from them.

Schedule I embraces cotton manufactures. We have had more dispute with respect to cotton and its manufactures than upon any other subject, unless it is upon the sheep and the things that are made from his fleece. The duties on cotton and cotton manufactures have been increased. No one disputes that proposition. I do not intend to weary you by a submission of tables showing the extent of the increases. The duty on cotton manufactures has been increased from the beginning to the end of the schedule; and I have received to-day and yesterday scores of telegrams admonishing me that the hosiery schedule has all the vicious qualities it had when it came originally from the other House to the Senate. I leave others to point out the particulars in which the cotton schedule has been advanced. I only summon it for the purpose of completing my catalogue and to find, if I can, this substantial, beneficial, downward revision for which we were assembled, and which seemed to be the object of our discussions in the last few months.

Schedule J relates to flax and hemp and jute, and so on. There is a very slight decrease in some kinds of yarns which people do not use—I mean the consumers—to any extent, which are used only by the manufacturers. I pass them. This schedule stands practically as it was. There are more increases in it when measured by substance than there are decreases in it; and I stand here as the monument—a very mournful monument—of one effort to reduce one thing in this schedule.

Possibly some of you will remember how I wearied you with an effort to show the enormity of the paragraph which covered oilcloth and linoleum. I have never yet found a man who dared defend that paragraph as it was in the Dingley law or as it came from the other House to the Senate. Possibly, out of the kindness of their hearts, the Finance Committee granted me a little concession on linoleum, and there was an amendment adopted by the Senate which did reduce the duties upon oilcloth and linoleum, and especially reduce the duties upon the lower grades of this generally used commodity; so that those who were not able to buy the highest priced goods would not be unduly burdened with a tax imposed at the custom-houses. I congratulated myself, and I was congratulated by many of my associates upon this signal victory. The schedule passed into the conference room, and it came from the conference room and is now in the bill with duties higher than they are in the Dingley law. Not only did my amendment disappear, not only was all the benefit I tried to secure for the people destroyed, but I had vastly better have left it alone, for it seems to me that out of pure desire to demonstrate that an advocate of revision such as I was ought to be uninfluential in the composition of this bill, the conference committee has raised the duties above those which have been in force for the last twelve years. You can not, therefore, say that Schedule J is revised downward and that any of its excessive duties have been corrected.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. Mr. President, I notice from the last publication of the Finance Committee, laid on our desks only a day or two ago, that the table represents that the present ad-

valorem duty is 43.72 per cent, and that the rate fixed by the conference bill is 40.87 per cent, which would indicate a reduction of 3 per cent.

Mr. CUMMINS. Which is the most grievous mistake that could be made with regard to the subject; and it simply duplicates a great many other mistakes that are contained in that statement.

Mr. GALLINGER. One other matter, Mr. President. Is the Senator from Iowa clear in his mind that when we imported last year \$123,000,000 worth of foreign products under this schedule, there ought to have been a very great reduction, if any?

Mr. CUMMINS. Mr. President, I stated when I argued the point before the Senate that I asked for no reduction upon the higher grades of linoleum; and the higher grades were the grades imported, because the duties upon the lower grades are absolutely prohibitive. In some instances the duties upon the lower grades equal the entire price at which the product is sold in the markets of the United States. My objection is that, instead of preserving this amendment, which would at least indicate a purpose to protect our people against the possibility, or the probability, that our own product would be raised above a fair point, the conference committee has yielded to a demand from some source, and raised every kind and grade of duties higher than they were in the Dingley law.

I do not make that assertion casually. I have given the subject the most careful consideration. I realize, of course, that I may be mistaken; but if I am mistaken, and it seems to be a material mistake, I hope that before this debate shall have closed some member of the Finance Committee will point out wherein I have fallen into error. I would enter into all these details now, but I have begun only, and shall continue only, to state my objections and my opinion with regard to these things.

I now come to Schedule K, wool and its manufactures. Has there been any revision of the duties upon the manufactures of wool? Have we taken away from the woolen manufacturers the possibility, aye, the probability, of being able to lift still higher the prices of their products without danger from abroad? Not one letter has been changed in this bill respecting the duties upon these things.

I have heard it stated here, over and over again, by the Senator from Rhode Island that the woolen schedule must remain intact. There were some changes made with regard to some wastes of wool, but, as I remember, there were no substantial changes made with regard to the duties upon manufactured wool.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. It was not my good fortune to hear the whole of the Senator's statement, but I hope he has been more correct or nearer correct in the statements with reference to the other schedules than he has with reference to the woolen schedule. There are three changes in the woolen schedule, all upon the manufactures of wool—one upon woolen cloths, one upon woolen yarns, and one upon woolen tops—and no changes upon wastes of any kind.

Mr. CUMMINS. Mr. President, will the Senator from Rhode Island point out the change upon woolen cloth and say what it is?

Mr. ALDRICH. A change on women's and children's dress goods weighing over 4 ounces a square yard, being a reduction of 5 per cent; not a very large reduction—

Mr. CUMMINS. Precisely.

Mr. ALDRICH. But still a reduction.

Mr. CUMMINS. The Senator will remember that I used the word "substantial."

Mr. ALDRICH. I understood the Senator to say that there have been no changes in anything except wastes.

Mr. CUMMINS. I said "substantially unchanged." I repeat it is "substantially unchanged."

Mr. ALDRICH. What, in the Senator's opinion, would be a substantial change?

Mr. CUMMINS. I am sure the Senator from Rhode Island will not claim that there has been any substantial revision of the woolen schedule downward.

Mr. ALDRICH. Mr. President, I do not know what the Senator would call a substantial change. The Senator, as I understand, is pursuing an argument to show that there has been no revision downward in this bill. As compared to the existing law, there are 500 items of reduction in the bill as it now stands upon the desks of Senators. I do not know what the Senator from Iowa expects or what the people of Iowa expect in the way of reductions. I trust that there have been no reductions which have established duties below protective lines. I do not understand that we are assembled here for any such purpose

as that. Perhaps the Senator from Iowa came here for that purpose; I did not. There are 500 reductions in items in the bill as it now stands before the Senate below the rates in the present law. I do not know whether that, in the mind of the Senator from Iowa, is substantial or not.

Mr. CUMMINS. That depends, Mr. President, if the Senator will allow me to answer at that point. Of course I can not repeat the argument I have made during the absence of the Senator from Rhode Island. I am very sorry he was not here, although I have no doubt he was better employed than in listening to anything I could say; but I have named nearly all the reductions. I have not denied that there are reductions in this bill, a great many reductions. I am bringing these reductions to the test that, as I understand, the Republican party has established, and I am endeavoring to see whether they will accomplish the object and the only object that I know of or of which I am conscious for any revision whatsoever.

Mr. ALDRICH. What test does the Senator from Iowa think the Republican party has applied to tariff revision?

Mr. CUMMINS. I see, Mr. President, that I will have to repeat my address—

Mr. ALDRICH. I hope not.

Mr. CUMMINS. And I will do so to some extent. I will tell the Senator what I think is the object that should be accomplished; I will tell him what I believe the Republican party intended that we should do. If we found that there was any duty here that more than measured the difference between the cost of production at home and abroad, with a fair profit added, if we found that there was any duty here that would enable monopoly or combination to raise prices beyond and above a fair American level, we should bring those duties down to the protective point, so that our consumers would be themselves protected by the fear of foreign invasion if our domestic producers lifted their profits above a reasonable point. That is what I understand to be a fair revision of the tariff.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa further yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. It will be impossible for the Senator from Iowa, or any other Senator, or anyone outside of the Senate, to show that the schedules of this bill as they are now left are above a reasonable protective point; but reductions such as the Senator from Iowa has been voting for since this bill was before the Senate would destroy protection and reduce the rates below the protective point. That is not the purpose of this Congress, in my opinion. That is not what we were sent here for. We were sent here to make a reasonable revision of the tariff, having in mind all the time the interests of the American people, the interests of the workingmen of the United States, and of the people who are engaged as employers, if you please, in our great industries. That is the spirit of the revision we have made; that is the spirit of the revision which will go before the American people for their approval; and I am certain that it will receive that approval; that the Republicans and protectionists of Iowa will join with the protectionists and Republicans of other parts of the United States in the approval of the pending measure adopted by a Republican Congress and approved by a Republican President.

Mr. CUMMINS. Mr. President, I said in the very beginning that this bill was better than any bill that could be framed upon any other than protective principles; better than any bill that could be framed upon the doctrine of a tariff for revenue only. That is about its only merit. I hope sincerely that next year the Senator from Rhode Island will come into Iowa; and I now extend him a most cordial invitation to help me convince the people of Iowa what is true, honest, fair protection to American industries and American interests. I hope he will come there and join with me in the effort to make our laws so that we will preserve the rights of American laborers, not only filtered through their rapacious employers, but will help me put other safeguards around their privileges and around their homes.

Mr. ALDRICH. Mr. President, if I have the opportunity I shall only be too glad to accept the invitation of the Senator from Iowa; and I would go before the people of that community, intelligent as they are, and I would point out to them the results of a generation of the protective policy, which has made that people the most prosperous in the world, and the richest, gauged by per capita wealth—I mean wealth in its highest and best sense. I say to the Senator from Iowa that that people have sustained heretofore the policy of protection. In this Chamber and in the other they have been represented by men who were protectionists, who did not hesitate to vote for protective duties; and the time will come, if it is not here now, when that people will appreciate, as the other people of

the United States will appreciate, the benefits of the doctrine of protection and its policy as exemplified in the legislation of this Congress.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. Yes.

Mr. BAILEY. I want to say to the Senator from Iowa that when the Senator from Rhode Island accepts that invitation, and they undertake to perform before the people of Iowa in double harness, I hope due notice will be given, because I want to come and witness the performance. [Laughter and manifestations of applause in the galleries.]

The VICE-PRESIDENT. The occupants of the galleries must not indulge in any demonstrations.

Mr. CUMMINS. Mr. President, I will give the Senator from Texas notice if the Senator from Rhode Island will accept my invitation and will give me enough notice so that I may communicate it to the Senator from Texas.

When the Senator from Rhode Island comes to my State, he will be able to say nothing for the doctrine of protection that I have not said—not so well as he could say it, but a thousand times, in every community, in every village, in every hamlet of that State—and I expect to acclaim it a thousand times more. If the Senator outruns me in zeal and devotion for the principle of protection, it is only because the Creator has gifted him more highly than he has endowed me. But when he stands there with me to attempt to show that these duties, or many of these duties, are necessary in order to protect the manufacturers of the United States or the laborers of the United States, then I shall have an infinite advantage over him, because I will be drinking at the fountain of truth, and that is more inspiring than the sources of error.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The people of Iowa in the past have been drinking from the fountain of truth; they have heard the doctrine of truth from a man who was honored in this body by his services of more than thirty years; and I am quite sure that the teachings of that man are not forgotten in Iowa even at the present moment.

Mr. President, of course I understand that I should be at a great disadvantage in talking to the farmers of Iowa with regard to protection as compared with the Senator from that State. But if protection is of any benefit to the people of any country or to any portion of the people of this country, the principal beneficiaries are the farmers and the people with whom they are associated. They are, in my judgment, not only the principal beneficiaries, but they have been in this country beneficiaries to an extent which has never been equaled by any class of people in any country in the world.

I remember very well, when I was a boy, hearing about the lands in Iowa. Some of the people of my State were very largely interested in farm lands in Iowa. They held mortgages on a large quantity of those lands. What has become of those mortgages, and what has become of those lands? They were then worth from three to five dollars an acre. What are they worth to-day? The people of Iowa, the farmers of Iowa, were then the debtors of the East. What are they to-day? They are furnishing the money that develops the industries of the United States, not only of the West and of the Middle West, but of every section and part of this country. They are no longer the debtors of any class anywhere. They are rich in everything which makes people great, and, in my judgment, they are not quibbling as to whether the rates of a protective tariff are 1 per cent too low or 1 per cent too high. It is the great policy of protection which they are supporting and which they have ever supported in every presidential election which has ever taken place. I do not believe that they will be led in the future by any sophistical statement that the rates in this bill are not as low as they ought to be to desert the principles of protection and to desert the flag of the party that has made those principles and that policy possible.

Mr. CUMMINS. Mr. President, it is very certain that the Republicans of Iowa will not desert their party. You will always find them in the first rank. In 1896 it was my honor to be a member of the Republican national committee during that wonderful, I was about to say immortal, campaign. For three months I sat around the council table in Chicago, and I could now summon up those faithful spirits if I would, although many of them have gone to their last reward. There was Mark Hanna, there was Henry Payne, there were a host of others I could mention, and there were dark days in that campaign. There were days of gloom and doubt and uncertainty. There

were days when the skies seemed to lower upon Republican fortunes; and as we sat about that table there were oftentimes wonder and speculation. I have heard those men wonder what Rhode Island would do; I have heard those men wonder what Illinois would do; I have heard them wonder what Ohio would do; I have heard them wonder what New York would do in the coming election; but, thank God, during all those days of stress and storm there was never a voice lifted up to ask "What will Iowa do?" She always carries the Republican banner to victory, and she always will; and it is not for any Senator here to advise me with respect to Republicanism.

It is not for any Senator here to impugn the loyalty and the steadfastness of Iowa Republicans. They are just as firmly attached to the Republican doctrine of protection as is the Senator from Rhode Island, and they will be at the camp fire watching, defending this doctrine of our party when others have gone weary to their rest. Do not doubt Iowa Republicanism; nor will Iowa Republicans quibble about 1 per cent or 2 per cent or 3 per cent. They are not nice and critical with respect to protective duties. But they do want the doctrine of their platform fairly and honestly enforced, and they will have it enforced, for I believe that the conscience and the judgment of the American people are with them.

Mr. ALDRICH. Will the Senator from Iowa permit me?

The VICE-PRESIDENT. Does the Senator from Iowa yield further?

Mr. CUMMINS. I do.

Mr. ALDRICH. I, too, remember the campaign of 1896, and the events which led up to it. I remember, because I was here, the adoption of the tariff act of 1890, known as the "McKinley bill." I remember the opposition which came to that bill from all over the country, that the Republicans in Congress had violated the principles of their party by advancing duties beyond a reasonable height. The criticisms which were made upon the McKinley bill, of the same nature as those which are now being made upon this bill, drove the Republican party into defeat. Major McKinley was defeated. He was defeated in his own district—a Republican district. I think there were but 88 Republican Members of the House. The others were defeated on account of the misrepresentations, the palpable misrepresentations, of the character of the McKinley Act.

What happened? The stone which the builders rejected became the headstone of the corner, and William McKinley, on account of his devotion to the great principles of protection, and on account of his connection with that much-maligned act of 1890, was elected President of the United States, and the policy which these gentlemen had talked about as presenting high rates of duty, this policy, which was rejected by reformers of all classes, became the principle and the policy of the American people; and in my judgment they will never be led to desert it by any class of reformers misrepresenting the nature of protective legislation and its results.

Mr. CUMMINS. Mr. President—

Mr. BAILEY. Will the Senator from Iowa permit me to say just here that no presidential nomination or election is involved in this tariff bill, as there was in the McKinley bill.

Mr. ALDRICH. If the Senator from Texas and his friends are correct, and if these gentlemen are correct in their prognostications, this bill is to lead to the defeat of the Republican party, on account of the excessive rates of duties; and it ought to lead to the defeat of the Republican party if it is true that the rates imposed by this act are excessive.

Mr. BAILEY. But the Senator from Rhode Island said that act resulted in the defeat of Mr. McKinley and his subsequent nomination and election to the Presidency.

Mr. ALDRICH. Yes.

Mr. BAILEY. And I do not want him to lay that sort of a flattering unction to his soul with respect to this bill.

Mr. ALDRICH. Oh! [Laughter.]

Mr. BAILEY. While I am on my feet, I will correct the history of the Senator from Rhode Island. William McKinley was not defeated in a Republican district. They said the State had been gerrymandered, and that he had been put in a Democratic district. And he was beaten by as brave and true an Irishman as ever came from the old sod.

Mr. ALDRICH. But in the next election that district was carried by McKinley overwhelmingly.

Mr. BAILEY. But he then ran for governor, and he had the State for his constituency.

Mr. ALDRICH. But he carried the precise district by a large majority, showing while there may be temporary aberrations in the minds of certain parts of the American people, in the main they are all right and their ultimate judgment is sound.

Mr. BAILEY. And when I look on the other side, I think the permanent aberrations are sometimes very great. [Laughter.]

Mr. DICK. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I do.

Mr. DICK. In order that the truth of history may be preserved, I will intrude a few brief observations.

Mr. CUMMINS. I do not yield for a speech.

Mr. BAILEY. For observations.

Mr. CUMMINS. I yield for any correction the Senator from Ohio may desire to make.

Mr. DICK. It will be very brief, and strictly in the nature of correction.

In the first place, I, too, sat at the council table of the national committee with the Senator from Iowa; and while we may have had some concern about the result of the election in certain States, the faith that was in us of ultimate success was due as much to the belief that the people would sustain the protective policy as that we were right upon the question of the gold standard.

As to the election in the McKinley district—

Mr. CUMMINS. Mr. President, I have said nothing about the election in the McKinley district.

Mr. DICK. No; but I was trying to correct the Senator from Texas.

Mr. CUMMINS. I hope the Senator will take some other occasion to do that. It is enough to correct me.

Mr. DICK. I will desist if the Senator declines to yield.

Mr. CUMMINS. I do. I am the only subject of correction here.

Mr. President, we have wandered far afield in this matter. The Senator from Rhode Island has simply repeated now what he has attempted a score of times in this debate. He endeavors to draw attention from the application of the principle to the principle itself. I understand, I believe, the doctrine of protection. I may not understand its application as well as does the Senator from Rhode Island, but I understand the principle just as well as he does, and I am just as devoted an advocate of it and defender for it.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I yield.

Mr. BEVERIDGE. Just a moment. I was expecting the Senator or some other Senator to mention one fact in this engaging and dramatic review of the history of the campaign of 1896, in which we are now led to believe that the determining and controlling question was protection. My recollection, which may be entirely erroneous, was that the money question, the question of sound money, was the great issue in the campaign of 1896; and I wanted to ask the Senator from Iowa whether I was right or not.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. SMITH of Michigan. If the Senator from Iowa will permit me, I should like to suggest to the Senator from Indiana—

Mr. CUMMINS. I yield, under compulsion.

Mr. SMITH of Michigan. That it was the absence of money in the campaign of 1896.

Mr. CUMMINS. I did not catch the remark. Will you repeat the remark? I did not hear it.

Mr. SMITH of Michigan. I dislike very much to repeat it. I will repeat it privately.

Mr. CUMMINS. Repeat it for my benefit.

Mr. SMITH of Michigan. It will be in the RECORD. I merely said, in answer to the Senator from Indiana, that my impression was that it was the absence of money—

Mr. BAILEY. On our side.

Mr. SMITH of Michigan. The American people did not have any of it.

Mr. CUMMINS. Yes. I can understand now the disinclination to repeat it. I thought you had made some serious remark.

Mr. SMITH of Michigan. Oh, no—

Mr. CUMMINS. I beg your pardon, because I did not hear it.

Mr. SMITH of Michigan. The Senator from Texas says, "on their side." He ought to know, for he was one of the men who voted for the legislation that brought about the hard times in this country that year.

Mr. CUMMINS. Now, I suppose I will be expected to yield to the Senator from Texas to defend himself.

Mr. BAILEY. It is not worth while. [Laughter.]

Mr. CUMMINS. I desire to return to the subject—

Mr. BEVERIDGE. Just one word.

Mr. CUMMINS. I suggest to the Senator from Indiana—

Mr. BEVERIDGE. Disregarding the humorous turn this discussion has taken, I wish to go back to the serious and forcible illustration drawn so well by the Senator from Rhode Island with respect to the campaign of 1896. He would have us believe it was upon the question of protection. As a matter of fact, we all know that that great campaign was fought out upon what we believed to be the issue of sound money.

I took an inconspicuous part in that campaign, and I remember very well at the beginning of it we were instructed—although some of us would not obey—to talk about protection, because we all agreed upon that, and not to talk about the money question, because we were divided upon it, and the people would not listen to the first and demanded to be talked to about the latter.

Mr. BAILEY. Will the Senator from Iowa permit me to help keep the history of things straight? I remember, whatever was the issue of the campaign, that the Republican-elected President called Congress in extraordinary session to deal with the tariff question.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. Certainly.

Mr. SMITH of Michigan. The Senator from Indiana, who is usually accurate and for whom I have the highest respect, certainly does not propose seriously to minimize the effect of the tariff legislation of the Democratic party which preceded the campaign of 1896.

Mr. BEVERIDGE. Of course I do not, Mr. President; but that is not the point. I recognize that as fully as does the Senator from Michigan, and have used much physical energy in a small way upon the stump in enforcing that view. What I was pointing out here was that the Senator from Rhode Island in his extremely clever turning of this thing was leaving us all upon record as having fought the campaign of 1896 upon the question of protection, when, as a matter of fact, we all know that that campaign was fought out upon the question of free silver, 16 to 1, as against what we called "sound money."

Mr. BAILEY and others addressed the Chair.

Mr. CUMMINS. Will some one yield to me for a moment? [Laughter.]

The VICE-PRESIDENT. The Senator from Iowa has the floor. Does he yield, and to whom?

Mr. CUMMINS. I yield to the Senator from Texas, who is on his feet.

Mr. BAILEY. The one sentence which has survived that campaign and all its other memories is McKinley's famous sentence, "Let us open the mills instead of the mints."

Mr. CUMMINS. They are both right. They are all right and all wrong; partly right and partly wrong. I know what the campaign of 1896 was, and you all will remember it in a moment when I tell you that the Republican charge was that the tariff bill of 1894 had brought on these adverse times and that the only way to restore prosperity was to enact the gold standard and pass a protective tariff law. That was the campaign of 1896.

Mr. SMITH of Michigan. No.

Mr. CUMMINS. I think it was. It was both the money question and the tariff question. What is the use to endeavor to turn the campaign into either of these channels alone? The Republican party was just as much wedded to protection as it was to sound money.

Mr. ALDRICH. Will the Senator permit me here?

Mr. CUMMINS. I do.

Mr. ALDRICH. Is the Senator willing to admit that the defeat of the Republican party in 1892 was owing to the misrepresentations of the enemies of protection as to the character of the act of 1890?

Mr. CUMMINS. I am not willing to admit that.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do, for a moment.

Mr. SMITH of Michigan. Will not the Senator admit this: That the Democratic party was responsible for the tariff legislation from 1894 until the passage of the Dingley law, and when times did begin to get hard and employment became scarce, instead of their admitting the cause of our distress they actually urged the American people to turn from low tariff and a lack of industrial employment to the coining of silver free? So, whether that was the issue or whether the tariff was the issue,

the Senator from Iowa knows that the Democratic party stood for another free thing, namely, the free coining of silver.

Mr. NELSON. Will the Senator from Iowa yield to me?

Mr. CUMMINS. This very delightful—

Mr. NELSON. Will the Senator yield to me?

Mr. CUMMINS. Republican council—

Mr. NELSON. Will the Senator yield to me?

Mr. CUMMINS. I do. Yes; gladly. Tell them all about it.

Mr. NELSON. I want to remind the Senator from Iowa that all this talk is about dead issues.

Mr. CUMMINS. I have not had time to say so.

Mr. NELSON. "Let the dead past bury its dead." The living question is the duty on hides and uppers and shoes. [Laughter.]

Mr. CUMMINS. I am not willing to narrow the issue quite so much as is indicated by the Senator from Minnesota, nor am I desirous at this time of rediscussing the campaign of 1896; but I wish to call the attention of the Senator from Rhode Island to the fact that I am a better Republican than he, if he believes what he stated before he wandered off into these by-paths of history. He said that if the people of this country believed that the duties of this bill were too high they should turn the Government of this country over to the Democratic party. Have I quoted him correctly or incorrectly?

Mr. ALDRICH. I said if the duties were excessive. That is what I said, and I repeat it. If the Senator from Iowa and those who are acting with him in this respect are correct, and if this bill levies duties upon the people of the United States which are excessive, then they ought to vote with the Senator from Iowa to displace the Republican party from power and put tariff reformers in their places.

Mr. CUMMINS. That is precisely what I have understood to be the position of the Senator from Rhode Island from the first. I differ with him radically and emphatically. Because I believe the duties of this bill are too high I shall not therefore vote to install any Democrat in office, for this bill is better than any tariff bill which can be composed upon the doctrine of a tariff for revenue only.

I have made my fight, and I intend to make it, within the ranks of the Republican party. I shall do whatsoever lies in my power to return every Republican candidate to office, whether in the State of Iowa or elsewhere, but at the same time I shall endeavor to send him here under commission to see to it that these duties express fairly, truly, and honestly the Republican doctrine, and not some exaggerated dream of the Republican doctrine.

Mr. ALDRICH. The Senator from Iowa misunderstands my statement. I know that the Senator from Iowa considers these duties excessive. I said if the American people should conclude that these duties were excessive. I hope the Senator sees the distinction.

Mr. CUMMINS. I do not. I am so obtuse that I do not see the difference. Of course I understand the sarcasm of the Senator from Rhode Island. I appreciate the difference between the junior Senator from Iowa and the people of the United States, which I suppose is the difference he intended to emphasize.

Mr. ALDRICH. No, Mr. President, not quite that. I meant to say that in my judgment this bill by its virtues and by its merits will satisfy the American people in the very near future that its rates are not excessive.

Mr. CUMMINS. I have so dear a regard for the fortunes of the Republican party, for the welfare of the people of the United States, that I can hope with the Senator from Rhode Island that I am mistaken, and that the people will enter judgment against my views. But I do not believe that the Republican voters of the United States will reach the conclusion that these duties are properly adjusted. I do not believe they will regard these duties as the fulfillment of the promises we made in the Chicago platform, and I do believe that with a voice that no Senator dare disobey, no Representative dare disobey, in the near future we will be required to readjust some of the inequalities, and remove some of the injustices from this measure.

Mr. ALDRICH. From whom does the Senator from Iowa expect that mandate? From the great majority of the Republican party? From the people who represent it in this Chamber and in the House of Representatives and in the executive chair? Or does he expect it from a minority, respectable and able and conscientious? Who is to give this mandate for a change in this act and for revision downward to an extent that will satisfy the Senator from Iowa? Whence will come the word? Will it come from the great majority of the Republican party, stretched across from California to Maine, or will it come from a class

of conscientious, theoretical, if you will permit the term, reformers?

Mr. CUMMINS. Misguided.

Mr. ALDRICH. Oh, I will not say misguided, because I admire the consistency of the Senator from Iowa. I have had occasion several times on this floor to say that I honor a man who believes that low tariffs are better than high tariffs, and who has the courage, as a Republican, to say so against the opinions and the wishes and the judgment of the great majority of his party.

I honor a man who has the courage to stand up in the Senate of the United States and say that the great mass of his party are mistaken; that the President of the United States is mistaken, and this bill is a delusion and a sham; that we are the misguided people who are voting for what we understand to be the policy of the Republican party, a policy upon which the people of the United States have set the seal of approval many and many a time from 1856 to the last convention that was held, and, in my judgment, upon which they will continue to set their seal of approval in the future.

No; I am not mistaken about the Senator from Iowa. I know that he has on every field and on every occasion sought to indoctrinate the people he represents and the people of the whole country with his idea that tariffs should be reduced; that low tariffs are necessary for the benefit of the people of the United States. I honor him for his courage, but I ask him as a Republican and as a protectionist to give to those of us who disagree with him the right to our opinions and to our judgments; and if we remain as we are, the representatives of the great majority of the American people, then I ask him to submit, if he will, to the will of the majority.

Mr. CUMMINS. I am grateful for the expression of confidence in my motives. I began this address, which should have come to an end long ago, with the statement that I granted to every Senator the very same measure of honesty that I claim for myself. I have never at any time impugned or challenged the motive of any Senator in this body.

Mr. ALDRICH. Oh, I am sure that is so. I understand that, and I realize it; and I realize, also, that I have intruded upon this debate to a much greater length than I should have done, and I apologize to the Senator from Iowa for that intrusion.

Mr. CUMMINS. Mr. President, I am neither a high-tariff man nor a low-tariff man. It is as unfair to term those of my belief low-tariff men as it would be to term the Senator from Rhode Island a high-tariff man. I am for just the right tariff, whether it is low or whether it is high.

Mr. BEVERIDGE. For protection.

Mr. CUMMINS. I am for the duties that will protect the interests of the United States and the markets of the United States, and I am not for a single unnecessary duty upon anything whatever, because I believe that it is an instrument of evil and is simply the forerunner of disaster for the American people.

Mr. President, I do not know whether I represent the majority of the Republicans of the United States in sentiment or not, but I believe that I do. I believe that a majority of them hold the opinions that I have been attempting so inadequately to express, and they are loyal protectionists. They have not yet lifted up their voices in sufficient volume and with sufficient directness to penetrate these legislative halls, but they will. They will find some way to make Senators understand their conception of protection; and when they do, I doubt not that every Senator here will yield implicit obedience to this direction of the only sovereign recognized under the flag of America.

So, I close my debate with the Senator from Rhode Island. Fortunately I had completed my review of these schedules, save the one upon print paper and the one embracing sundries. In print paper we have reduced the duty from \$6 to \$3.75 per ton. I hope my belief will be found illy based, but I believe that after the 31st day of next March print paper will bear a duty of more than \$13 a ton instead of \$3.75 a ton, for I can not see how it will be possible for the President of the United States to relieve those Provinces of Canada from which we receive importations of print paper from the operation of the maximum tariff, or the regular tariff, which is 25 per cent ad valorem added to the duties we have now prescribed. I do not say it is not possible, but it seems to me probable that this will be true after the 31st day of next March.

Mr. GALLINGER. Mr. President, Canada can relieve the situation, of course, whether the President can or not.

Mr. CUMMINS. If the President can say on the 31st of next March that the trade relations between the United States and Canada are reciprocally fair and reasonable; that there are no discriminating duties or bounties or impositions or restrictions

of any sort, then he can give Canada and her Provinces the benefit of our minimum tariff, and otherwise not.

Mr. GALLINGER. Certainly.

Mr. CUMMINS. So, Mr. President, I close my review of this bill. I intend to fight just as hard, just as persistently, just as zealously for the Republican party in the future as I have done in the past. I hope that it will be as brilliantly successful in the future as in the past; but I never shall forego for a single moment my right to point out the errors of the party to which I belong, or intermit my efforts to bring it to the position which I think it ought to occupy.

Thus I have, and at vastly greater length than I expected, given the reasons why as a Republican I intend to vote against the conference report, and to give the world notice, in so far as I can, that, while I shall always defend the principle that underlies this tariff bill, I shall never attempt to excuse what I believe to be its mistakes and excesses.

Mr. DANIEL. Mr. President, I have a little business which I deem it proper to attend to now. I shall therefore not expatiate about the tariff. The Senator from Rhode Island [Mr. ALDRICH], who is chairman of the Finance Committee, made some statement in reply to my allegation that the Democrats who occupied a place on the committee of conference had been promised a full day to examine this bill and to make their statement before it was reported.

I renew the allegation that they were promised a full day. In the statement he said that I was the only one of the conferees who was dissatisfied with what they had done. As soon as I took my seat the Senator from Texas [Mr. BAILEY] arose and stated that I was right in what I said as to the facts, and announced his own concurrence with me as to the law. So that all of the Democratic conferees except the absent one, the Senator from Mississippi [Mr. MONEY], stated what I have stated; and before that Senator left for Mississippi he told me that he also concurred as to the law as I have laid it down.

As to the facts, the chairman of the committee stated that on the evening of Thursday, on the morning of which day the Senator from Texas and myself appeared as conferees, his secretary had notified the Democratic conferees in person. I have seen the secretary of the Finance Committee, Mr. Shelton, and he refutes that statement of the Senator from Rhode Island, and tells me that he himself communicated, not carried, the notification by phone; that he called the phone office in the Capitol and my office in the annex. So, before we were notified at 9 a. m. Friday, the day after the conference concluded, that bill—concerning which we had the faithful and honorable promise of a day—had gone to the House of Representatives and was swiftly presented and considered therein.

It is needless for me to prolong the controversy; it would be vain; but I wish to tell the Senate that in their acquiescence in the exclusion of their own Members, whom they appointed and in effect ordered to attend this committee and deliver their judgment, they have left the Constitution of this country prostrate. Whatever offenses may be in this tariff bill are small compared to this abandonment and desertion of public duty in the capital of this country. As sure as truth lives and just as sure as the American people respect their free Constitution and stand ready to defend it, just as sure will this desertion and abandonment of it be overturned. I may not live to see it, but I believe that I will, and I shall stand to my guns as long as I live, as I have ever stood for that which I believe to be the law and the Constitution of the Government that I serve.

It is pedantry and it is picaresque to attempt to defend the Republican conferees by saying that the Democrats did the same thing. I have no knowledge of that. The Senator from Rhode Island says that it has always been usual for their course of procedure to be practiced.

Mr. President, I do not confine myself to being opposed to what some Democrats have favored. I have stood in this Chamber and opposed with all my might what some Democrats favored. If they call themselves Democrats and did what the Republican committee, with the supine acquiescence of the Senate, has done, they did un-Democratic things; and I would oppose them if I were present or had an opportunity to oppose them just as quickly as I would oppose any man here.

An honest obedience to the oath to support the Constitution, to obey the rules of the Senate, to well and truly administer the law, is no party question, and it can not become a party question as long as men are sincere and true and honest to their trust.

Some one asked me why I praised the Senator from Rhode Island day before yesterday for his courtesy and for his kindness. I replied, because I knew that he had been courteous and that he had been kind. If he had trampled upon me more

than he did, I should never be forced to say what was untrue about him or refuse to allow him the credit of the virtues which he has displayed.

When I was a patron of the Jamestown exposition bill in this body and asking a liberal appropriation, the matter for a time halted, languishing in both the House and the Senate. Senator ALDRICH, of Rhode Island, and Senator CRANE, of Massachusetts, whose States were of the old thirteen in the Revolution, came to the assistance of the Virginia Senators, and ere long a unanimous vote in the Senate was obtained for the measure. With much kind assistance in other quarters, I can say that without their help the measure would in all likelihood have failed. Apart from other courtesies and considerations received, these things alone entitle these gentlemen to the lasting gratitude of my colleague and myself, and have received it.

A Republican orator stated before the Republican convention that I had declared that I was a protectionist and had asked favors of a Republican Congress. There was not a word

of truth in the statement, but I can understand how he was fooled, if he did say it, and therefore I shall apply no epithet to him. The Democratic papers of Virginia which had Republican correspondents here knew so little about their party and so little about me that some of them said so. In that case the Democratic papers were first beguiled by Republican correspondents, and they passed their beguilement to Republicans in turn. Falsehood travels on swift feet; truth follows on a leaden heel; but when she does strike, she strikes with a fearless heart and with an iron hand. She will catch up, even though she be as slow as the Democratic party is to coming by its own.

Now, Mr. President, I wish to put into the RECORD the cotton schedule. I will not stop to recite it. The people will have plenty of time to study it and plenty of time to feel it. I hope that permission may be granted me, Mr. President.

The VICE-PRESIDENT. Without objection, the request of the Senator from Virginia will be granted.

The matter referred to is as follows:

Schedule I.—Cotton manufactures.

Paragraph of H. R. 1433.	Classification of present law (act of 1897).	Imports for consumption, year ending June 30, 1907.		Rates of duty under—	
		Quantity.	Value.	Present law.	Conference report.
313	Cotton thread and carded yarn, etc.: Not colored, bleached, or dyed; numbers up to and including—			<i>Not less than 15 per cent.</i>	
	No. 15.....lbs.	7,923.00	\$1,479.00	3 cents per pound.....	2½ cents per pound.
	No. 18.....lbs.	180.00	46.00	3½ cents per pound.....	3 cents per pound.
	No. 20.....lbs.	22,776.00	9,439.00	4 cents per pound.....	3½ cents per pound.
	No. 24.....lbs.	966.00	182.00	4½ cents per pound.....	4 cents per pound.
	No. 25.....lbs.	72,946.00	26,042.00	5 cents per pound.....	4½ cents per pound.
	No. 26.....lbs.	860.00	204.00	5½ cents per pound.....	4½ cents per pound.
	No. 30.....lbs.	21,480.00	7,180.14	6 cents per pound.....	5 cents per pound.
	No. 32.....lbs.	1,750.00	372.00	8 cents per pound.....	6½ cents per pound.
	No. 34.....lbs.	6,414.00	2,878.00	8½ cents per pound.....	6½ cents per pound.
	No. 35.....lbs.	12,370.00	3,759.00	8½ cents per pound.....	7 cents per pound.
	No. 38.....lbs.	330.00	101.00	9½ cents per pound.....	7½ cents per pound.
	No. 40.....lbs.	29,730.00	12,779.00	10 cents per pound.....	8 cents per pound.
	No. 45.....lbs.	2,000.00	768.00	11½ cents per pound.....	9 cents per pound.
	No. 50.....lbs.	5,000.00	1,962.00	12½ cents per pound.....	10 cents per pound.
	No. 55.....lbs.	10,200.00	5,007.00	13½ cents per pound.....	11 cents per pound.
	No. 60.....lbs.	6,187.25	3,257.00	15 cents per pound.....	12 cents per pound.
	No. 75.....lbs.	8,833.00	5,492.00	18½ cents per pound.....	15 cents per pound.
	No. 80.....lbs.	336.00	196.00	20 cents per pound.....	16 cents per pound.
	No. 90.....lbs.	697.88	923.00	22½ cents per pound.....	18 cents per pound.
	No. 91.....lbs.	36.00	26.00	22½ cents per pound.....	18½ cents per pound.
	No. 95.....lbs.	4,585.00	3,580.00	23½ cents per pound.....	19 cents per pound.
	No. 100.....lbs.	806.00	254.00	25 cents per pound.....	20 cents per pound.
	No. 120.....lbs.	1,821.00	1,826.00	30 cents per pound.....	24 cents per pound.
	No. 130.....lbs.	2,193.00	1,882.00	32½ cents per pound.....	26 cents per pound.
	No. 140.....lbs.	3,132.00	2,676.00	35 cents per pound.....	28 cents per pound.
	Colored, bleached, dyed, etc.— Numbers up to and including 20.....lbs.	449,087.34	149,485.75	6 cents per pound.....	<i>Not less than 20 per cent.</i> 6 cents per pound.
	No. 21.....lbs.	21,589.00	9,008.00	5½ cents per pound.....	6 cents per pound.
	No. 22.....lbs.	17,501.87	8,109.00	5½ cents per pound.....	6 cents per pound.
	No. 24.....lbs.	188,952.32	73,313.25	6 cents per pound.....	6 cents per pound.
	No. 25.....lbs.	64,540.00	25,702.00	6½ cents per pound.....	6½ cents per pound.
	No. 26.....lbs.	22,200.22	8,865.00	6½ cents per pound.....	6½ cents per pound.
	No. 28.....lbs.	37,494.81	14,951.00	7 cents per pound.....	7 cents per pound.
	No. 29.....lbs.	652.00	330.00	7½ cents per pound.....	7½ cents per pound.
	No. 30.....lbs.	230,158.31	94,595.00	7½ cents per pound.....	7½ cents per pound.
	No. 33.....lbs.	6,427.00	3,192.00	8½ cents per pound.....	8½ cents per pound.
	No. 34.....lbs.	14,842.75	8,178.00	8½ cents per pound.....	8½ cents per pound.
	No. 35.....lbs.	30,917.50	13,788.00	8½ cents per pound.....	8½ cents per pound.
	No. 37.....lbs.	441.00	236.00	9½ cents per pound.....	9½ cents per pound.
	No. 38.....lbs.	100,721.00	52,554.00	9½ cents per pound.....	9½ cents per pound.
	No. 42.....lbs.	7,253.50	4,080.00	10½ cents per pound.....	10½ cents per pound.
	No. 53.....lbs.	238.00	202.00	13½ cents per pound.....	13½ cents per pound.
	No. 67.....lbs.	203.00	196.00	16½ cents per pound.....	16½ cents per pound.
315	Cloth: Not exceeding 50 threads to the square inch— Valued over 7 cents and not over 9 cents per square yard, not bleached, dyed, or colored.....sq. yds.	191,276.00	16,274.00	1 cent per square yard.....	2½ cents per square yard.
	Bleached, valued over 16 cents per square yard.....sq. yds.	31,445.00	5,149.00	1½ cents per square yard.....	7 cents per square yard.
	Not exceeding 100 threads to the square inch, etc.— Not bleached, dyed, or colored, valued over 10 cents and not over 12½ cents.....sq. yds.	151,041.00	17,446.00	25 per cent.....	4 cents per square yard.
	Bleached, valued over 12 cents and not over 15 cents, square yards.....	524,096.50	76,106.00	25 per cent.....	5 cents per square yard.
	Dyed or colored, valued over 17½ cents and not over 20 cents per square yard.....sq. yds.	1,434,808.00	259,245.15	30 per cent.....	7½ cents per square yard.
316	Exceeding 100 and not exceeding 150 threads to square inch— Not dyed, bleached, colored, etc.— Exceeding 6 and not exceeding 8 square yards to the pound.....sq. yds.	60,154.00	5,601.00	2½ cents per square yard.....	3 cents per square yard.
	Valued over 10 and not over 12½ cents per square yard.....sq. yds.	161,879.00	20,028.00	30 per cent.....	4½ cents per square yard.
	Bleached, valued over 15 and not over 16 cents per square yard.....sq. yds.	2,939,033.83	465,521.00	35 per cent.....	6½ cents per square yard.
	Dyed, colored, etc., valued over 17½ and not over 20 cents per square yard.....sq. yds.	8,689,008.68	1,536,802.46	35 per cent.....	8 cents per square yard.

Schedule I—Cotton manufactures—Continued.

Para- graph of H. R. 1438.	Classification of present law (act of 1897).	Imports for consumption, year ending June 30, 1907.		Rates of duty under—	
		Quantity.	Value.	Present law.	Conference report.
	Cloth—Continued.				
317	Exceeding 150 and not over 200 threads to square inch—				
	Not bleached, dyed, etc., valued over 12½ and not over 14 cents per square yard.....sq. yds..	47,475.50	\$6,171.50	35 per cent.....	5½ cents per square yard.
	Bleached, valued over 16 and not over 20 cents per square yard.....sq. yds..	7,219,226.48	1,242,235.17	35 per cent.....	8 cents per square yard.
	Dyed, colored, etc., valued over 17 and not over 20 cents per square yard.....sq. yds..	15,298,053.70	2,751,271.98	40 per cent.....	8 cents per square yard.
318	Exceeding 200 and not exceeding 300 threads to the square inch—				
	Not bleached, dyed, etc., valued at over 14 and not over 16 cents per square yard.....sq. yds..	226,517.77	36,229.60	40 per cent.....	6½ cents per square yard.
	Bleached, valued at over 16 but not over 20 cents per square yard.....sq. yds..	2,420,385.93	483,961.94	40 per cent.....	8 cents per square yard.
	Dyed, colored, etc., valued at over 20 and not over 25 cents per square yard.....sq. yds..	6,640,862.00	1,443,233.00	40 per cent.....	11½ cents per square yard.
319	Exceeding 300 threads to the square inch—				
	Bleached, valued at over 20 and not over 25 cents per square yard.....sq. yds..	45,666.15	10,627.55	40 per cent.....	11½ cents per square yard.
	Dyed, colored, etc., valued at over 25 cents per square yard.....sq. yds..	444,606.75	118,977.58	40 per cent.....	12½ cents per square yard.
323	Cotton cloth in which the ordinary warp and filling threads form a figure, etc., whether known as lapets or otherwise:				
	Exceeding and not over 100 threads to the square inch—				
	Not bleached, dyed, etc., not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds..	225.00	18.00	3½ cents per square yard.....	4½ cents per square yard.
	Exceeding 9 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds..	8,272.00	700.00	3½ cents per square yard.....	4½ cents per square yard.
	Dyed, colored, etc., not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds..	601.00	75.00	4½ cents per square yard.....	5½ cents per square yard.
	Not exceeding 100 threads to the square inch—				
	Not bleached, dyed, etc., valued at over 7 cents per square yard.....sq. yds..	499,757.33	68,505.00	25 per cent plus 2 cents per square yard.	7 cents per square yard.
	Bleached, valued over 9 cents per square yard.....sq. yds..	577,870.50	80,837.00	25 per cent plus 2 cents per square yard.	7 cents per square yard.
	Dyed, colored, etc., valued over 12 cents per square yard.....sq. yds..	1,191,497.09	220,244.00	30 per cent plus 2 cents per square yard.	9½ cents per square yard.
	Exceeding 100 and not exceeding 150 threads to the square inch—				
	Not bleached, dyed, etc., not exceeding 4 square yards to the pound, valued more than 7 cents per square yard.....sq. yds..	16.28	5.00	3½ cents per square yard.....	10 cents per square yard.
	Exceeding 4 square yards and not exceeding 6 square yards to the pound, valued more than 7 cents per square yard.....sq. yds..	270.00	32.00	4 cents per square yard.....	6½ cents per square yard.
	Valued over 9 cents per square yard.....sq. yds..	167,325.50	24,729.00	30 per cent plus 2 cents per square yard.	8½ cents per square yard.
	Bleached, exceeding 8 square yards to the pound, valued over 11 cents per square yard.....sq. yds..	1,456,995.10	293,809.00	35 per cent plus 2 cents per square yard.	12 cents per square yard.
	Dyed, colored, etc., exceeding 8 square yards to the pound, valued over 12½ cents per square yard.....sq. yds..	381,696.00	82,117.00	35 per cent plus 2 cents per square yard.	12 cents per square yard.
	Exceeding 150 and not exceeding 200 threads to the square inch—				
	Not bleached, dyed, etc., valued over 10 cents per square yard.....sq. yds..	1,608.00	249.00	35 per cent plus 2 cents per square yard.	8½ cents per square yard.
	Bleached, exceeding 4 and not exceeding 6 square yards to the pound—				
	Valued more than 7 cents per square yard.....sq. yds..	5,060.00	642.00	6 cents per square yard.....	7½ cents per square yard.
	Valued over 12 cents per square yard.....sq. yds..	573,542.00	122,078.00	35 per cent plus 2 cents per square yard.	12 cents per square yard.
	Dyed, colored, etc., exceeding 4½ and not exceeding 6 square yards to the pound—				
	Valued at more than 7 cents per square yard.....sq. yds..	54.00	7.00	6½ cents per square yard.....	8 cents per square yard.
	Valued over 12½ cents per square yard.....sq. yds..	58,467.00	14,203.00	40 per cent plus 2 cents per square yard.	12 cents per square yard.
	Exceeding 200 but not exceeding 300 threads to square inch—				
	Not bleached, dyed, etc., valued over 12½ cents per square yard.....sq. yds..	151.00	40.00	40 per cent plus 2 cents per square yard.	12 cents per square yard.
	Bleached, valued over 15 cents per square yard.....sq. yds..	13,082.00	3,270.00	40 per cent plus 2 cents per square yard.	13½ cents per square yard.
	Dyed, colored, etc., valued over 17½ cents per square yard.....sq. yds..	11,818.00	3,372.02	40 per cent plus 2 cents per square yard.	14½ cents per square yard.
	Exceeding 300 threads to square inch—				
	Dyed, colored, etc., valued over 20 cents per square yard.....sq. yds..	1,196.50	431.00	40 per cent plus 2 cents per square yard.	14½ cents per square yard.
	Cotton cloth, mercerized or subjected to any similar process.....			No extra duty.....	1 cent per square yard additional.
324	Outside garments having rubber as a component material....lbs..	868.42	2,677.00	15 cents per pound and 50 per cent	50 per cent.
328	Stockings hose, and half hose, selvedged, fashioned, etc.: Valued not more than \$1 per dozen.....	2,449,277.67	2,350,249.77	50 cents per dozen and 15 per cent	70 cents per dozen and 15 per cent.
	Valued more than \$1 and not more than \$1.50 per dozen.....	1,155,693.75	1,600,634.75	60 cents per dozen and 15 per cent	85 cents per dozen and 15 per cent.
	Valued more than \$2 and not more than \$2.50 per dozen.....	1,330,226.67	2,557,341.40	70 cents per dozen and 15 per cent	90 cents per dozen and 15 per cent.

Schedule I—Cotton manufactures—Continued.

Para- graph of H. R. 1438.	Classification of present law (act of 1897).	Revenue under pres- ent law.	Estimated revenue under confer- ence report.	Equivalent ad valorem under—		Comparison of revenue.			
				Present law.	Confer- ence report.	Amount of—		Increase.	De- crease.
						Increase.	De- crease.		
313	Cotton thread and carded yarn, etc.— Not colored, bleached, or dyed; numbers up to and including—			<i>Per cent.</i>	<i>Per cent.</i>			<i>Per cent.</i>	<i>Per cent.</i>
	No. 15.....lbs.	\$237.69	\$221.85	16.07	15.00				
	No. 18.....lbs.	6.48	6.90	14.09	15.00				
	No. 20.....lbs.	911.04	1,415.85	9.65	15.00				
	No. 24.....lbs.	46.37	38.64	25.48	21.20				
	No. 25.....lbs.	3,647.30	3,906.30	14.01	15.00				
	No. 28.....lbs.	44.72	37.27	21.92	18.27				
	No. 30.....lbs.	1,288.80	1,077.02	17.95	15.00				
	No. 32.....lbs.	140.00	112.00	37.63	30.11				
	No. 34.....lbs.	545.19	436.15	18.94	15.16				
	No. 35.....lbs.	1,082.39	865.90	28.79	23.03				
	No. 38.....lbs.	31.35	25.08	31.04	24.83				
	No. 40.....lbs.	2,973.00	2,378.40	23.26	18.62				
	No. 45.....lbs.	225.00	180.00	29.30	23.44				
	No. 50.....lbs.	625.00	500.00	31.86	25.48				
	No. 55.....lbs.	1,402.51	1,122.00	28.01	22.41				
	No. 60.....lbs.	928.09	742.27	28.50	22.80				
	No. 75.....lbs.	1,656.19	1,324.95	30.16	24.12				
	No. 80.....lbs.	67.20	53.76	34.29	27.43				
	No. 90.....lbs.	157.02	138.95	17.01	15.00				
	No. 91.....lbs.	8.19	6.55	31.50	25.20				
	No. 95.....lbs.	1,088.94	871.15	30.42	24.33				
	No. 100.....lbs.	76.50	61.20	30.11	24.09				
	No. 120.....lbs.	546.30	437.04	29.90	23.93				
	No. 130.....lbs.	712.73	570.18	37.87	30.30				
	No. 140.....lbs.	1,096.20	876.96	40.96	32.77				
	Colored, bleached, dyed, etc.— Numbers up to and including 20.....lbs.	26,945.25	29,897.15	18.03	20.00	\$2,951.90		10.96	
	No. 21.....lbs.	1,133.43	1,801.60	12.58	20.00	668.17		51.92	
	No. 22.....lbs.	962.61	1,621.80	11.88	20.00	659.19		68.48	
	No. 24.....lbs.	11,337.14	14,662.65	15.46	25.00	3,325.51		29.35	
	No. 25.....lbs.	4,033.77	5,140.40	15.69	20.00	1,106.63		27.43	
	No. 26.....lbs.	1,443.03	1,773.00	16.28	20.00	329.97		22.87	
	No. 28.....lbs.	2,624.64	2,960.20	17.55	20.00	365.56		13.85	
	No. 29.....lbs.	47.27	66.00	14.32	20.00	18.73		39.60	
	No. 30.....lbs.	17,261.90	18,919.00	18.25	20.00	1,657.10		9.58	
	No. 33.....lbs.	530.23	638.40	16.61	20.00	108.17		20.41	
	No. 34.....lbs.	1,261.64	1,635.60	15.43	20.00	373.96		29.63	
	No. 35.....lbs.	2,705.33	2,757.60	19.62	20.00	52.27		1.94	
	No. 37.....lbs.	40.79	67.20	17.28	20.00	26.41		64.73	
	No. 38.....lbs.	9,568.51	10,510.80	18.21	20.00	942.29		9.85	
	No. 42.....lbs.	761.62	816.00	18.67	20.00	54.38		7.14	
	No. 53.....lbs.	37.50	40.40	18.56	20.00	2.90		7.74	
	No. 67.....lbs.	34.00	39.20	17.35	20.00	5.20		15.29	
315	Cloth: Not exceeding 50 threads to the square inch— Valued over 7 cents and not over 9 cents per square yard, not bleached, dyed, or colored.....sq. yds.	1,912.76	4,403.71	11.75	26.44	2,490.95		130.42	
	Bleached, valued over 16 cents per square yard.....sq. yds.	393.09	2,201.15	7.63	42.75	1,808.06		460.05	
	Not exceeding 100 threads to the square inch, etc.— Not bleached, dyed, or colored, valued over 10 cents and not over 12½ cents.....sq. yds.	4,361.50	6,041.64	25.00	34.63	1,680.14		38.63	
	Bleached, valued over 12 cents and not over 15 cents.....sq. yds.	19,026.50	26,204.83	25.00	34.43	7,178.33		37.72	
	Dyed or colored, valued over 17½ cents and not over 20 cents per square yard.....sq. yds.	77,773.55	107,610.60	30.00	41.51	29,837.05		38.37	
316	Exceeding 100 and not exceeding 150 threads to square inch— Not dyed, bleached, colored, etc.— Exceeding 6 and not exceeding 8 square yards to the pound.....sq. yds.	1,503.86	1,804.62	26.85	32.22	300.76		20.00	
	Valued over 10 and not over 12½ cents per square yard, square yards.....	6,008.40	7,082.21	30.00	35.36	1,073.81		16.23	
	Bleached, valued over 15 and not over 16 cents per square yard.....sq. yds.	162,932.35	191,037.20	35.00	41.03	28,104.85		17.24	
	Dyed, colored, etc., valued over 17½ and not over 20 cents per square yard.....sq. yds.	537,880.87	695,120.69	35.00	45.23	157,239.82		29.23	
317	Exceeding 150 and not over 200 threads to square inch— Not bleached, dyed, etc., valued over 12½ and not over 14 cents per square yard.....sq. yds.	2,160.03	2,611.53	35.00	42.31	451.50		20.90	
	Bleached, valued over 16 and not over 20 cents per square yard.....sq. yds.	434,782.53	577,833.12	35.00	46.49	143,055.59		32.88	
	Dyed, colored, etc., valued over 17 and not over 20 cents per square yard.....sq. yds.	1,100,508.79	1,223,844.30	40.00	44.48	123,335.51		11.21	
318	Exceeding 200 and not exceeding 300 threads to the square inch— Not bleached, dyed, etc., valued at over 14 and not over 16 cents per square yard.....sq. yds.	14,491.84	14,723.65	40.00	40.64	231.81		1.60	
	Bleached, valued at over 16 but not over 20 cents per square yard.....sq. yds.	193,584.78	193,630.87	40.00	40.00	46.09			
	Dyed, colored, etc., valued at over 20 and not over 25 cents per square yard.....sq. yds.	577,293.19	747,096.98	40.00	51.77	169,803.79		29.43	
319	Exceeding 300 threads to the square inch— Bleached, valued at over 20 and not over 25 cents per square yard.....sq. yds.	4,251.02	5,137.44	40.00	48.34	886.42		20.86	
	Dyed, colored, etc., valued at over 25 cents per square yard, square yards.....	47,591.03	55,575.84	40.00	46.71	7,984.81		16.78	
323	Cotton cloth in which the ordinary warp and filling threads form a fig- ure, etc., whether known as lapets or otherwise: Exceeding 50 and not over 100 threads to the square inch— Not bleached, dyed, etc., not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds.	7.31	9.56	40.61	53.13	2.25		30.77	
	Exceeding 9 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds.	310.20	351.56	44.31	50.22	41.36		13.34	
	Dyed, colored, etc., not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard.....sq. yds.	28.55	34.56	38.07	46.08	6.01		21.01	

Schedule I.—Cotton manufactures—Continued.

Para- graph of H. R. 1438.	Classification of present law (act of 1897).	Revenue under pres- ent law.	Estimated revenue under confer- ence report.	Equivalent ad val- orem under—		Comparison of revenue.			
				Present law.	Confer- ence report.	Amount of—		Increase.	De- crease.
						Increase.	De- crease.		
323	Cotton cloth in which the ordinary warp and filling threads form a fig- ure, etc., whether known as lapets or otherwise—Continued.								
	Not exceeding 100 threads to the square inch—								
	Not bleached, dyed, etc., valued at over 7 cents per square yard.....sq. yds..	\$27,121.42	\$34,983.01	Per cent.	Per cent.	\$7,861.59		Per cent.	Per ct.
	Bleached, valued over 9 cents per square yard.....sq. yds..	31,766.66	40,450.94	39.59	51.07			29.01	
	Dyed colored, etc., valued over 12 cents per square yard.....sq. yds..	89,903.13	113,192.22	39.30	50.04	8,684.28		27.31	
	Exceeding 100, and not exceeding 150 threads to the square inch—								
	Not bleached, dyed, etc., not exceeding 4 square yards to the pound, valued more than 7 cents per square yard.....sq. yds..	.57	1.63	40.83	51.39	23,289.09		26.02	
	Exceeding 4 square yards and not exceeding 6 square yards to the pound, valued more than 7 cents per square yard.....sq. yds..	10.80	17.21						
	Valued over 9 cents per square yard.....sq. yds..	10,765.21	14,222.67	11.40	32.60	1.06		185.96	
	Bleached, exceeding 8 square yards to the pound, valued over 11 cents per square yard.....sq. yds..	131,973.06	174,839.41	33.75	53.79	6.41		59.35	
	Dyed, colored, etc., exceeding 8 square yards to the pound, valued over 12 cents per square yard.....sq. yds..	36,374.87	45,803.52	43.53	57.51	3,457.46		32.01	
	Exceeding 150 and not exceeding 200 threads to the square inch—								
	Not bleached, dyed, etc., valued over 10 cents per square yard.....sq. yds..	119.31	136.68	44.92	59.51	42,866.35		32.47	
	Bleached, exceeding 4 and not exceeding 6 square yards to the pound—								
	Valued more than 7 cents per square yard.....sq. yds..	303.60	366.85	44.31	55.78	9,428.65		25.90	
	Valued over 12 cents per square yard.....sq. yds..	54,198.14	68,825.04	47.92	54.89	17.37		14.60	
	Dyed, colored, etc., exceeding 4½ and not exceeding 6 square yards to the pound—								
	Valued at more than 7 cents per square yard.....sq. yds..	3.65	4.32	47.29	57.14	63.25		20.86	
	Valued over 12½ cents per square yard.....sq. yds..	6,850.54	7,016.04	44.39	56.38	14,626.90		20.78	
	Exceeding 200 but not exceeding 300 threads to square inch—								
	Not bleached, dyed, etc., valued over 12½ cents per square yard.....sq. yds..	19.02	18.12	52.14	61.71	.67		18.41	
	Bleached, valued over 15 cents per square yard.....sq. yds..	1,569.64	1,733.36	48.23	49.20	165.50		2.41	
	Dyed, colored, etc., valued over 17½ cents per square yard, sq. yds..	1,585.17	1,713.61						
	Exceeding 300 threads to square inch—								
	Dyed, colored, etc., valued over 20 cents per square yard, sq. yds..	196.33	173.49	47.55	45.30	\$0.90		4.73	
324	Cotton cloth, mercerized or subjected to any similar process.....lbs..	1,468.77	1,338.50	48.00	53.01	163.72		10.42	
328	Outside garments having rubber as a component material.....lbs..			47.01	50.82	128.44		8.13	
	Stockings, hose and half hose, selvaged, fashioned, etc.:—								
	Valued not more than \$1 per dozen.....dozen.....	1,577,176.36	2,067,031.84	45.55	40.25	22.84		Infinite	11.65
	Valued more than \$1 and not more than \$1.50 per dozen.....dozen.....	933,511.51	1,222,434.90						
	Valued more than \$2 and not more than \$2.50 per dozen.....dozen.....	1,314,759.94	1,580,805.21	54.87	50.00	139.27		9.72	

Mr. DANIEL. I wish also, sir, to put into the RECORD with my remarks the statement of some articles upon which the duty is abnormally high in the bill reported by the conferees on some thirty-odd items that are contained in this list, winding up with a great panjandorum with a little round button at the top of all tariff taxes. It is tungsten with over 3,500 per cent. Never before in the history of the world were such colossal tariff items displayed, and I leave it without taxing your patience for any exemplification or explanation of these or other articles. Study the cotton tax—look at the increase of duties by “revision upward,” and ask yourself why?

Mr. President, has it ever occurred to the mind of any Senator here how faithful, how affectionate, and how close in their attachment the fragmentary committee of the Senate conferees has been to the trusts? David and Jonathan were not so thick as are these items in fidelity to the trusts.

In this tariff bill there have been inserted three great bills which are in themselves great measures. The one is the establishment of the customs court; another is an internal-revenue proposition that taxes tobacco 2 cents more per pound. It is 6 cents now. They have made it 8. A third is the exemption of all the great trusts in the country from the corporation tax.

Briefly as to tobacco: The Senator from Indiana [Mr. BEVERIDGE] made a great speech nominally against trusts. I say “nominally” meaningly. He then wound up by a second edition of the bill which he denounced, which had poured the taxes into their pockets; and just as soon as this bill is over, the tobacco trust will rejoice that the Senator from Indiana made that kind of an attack upon them. They will pray that he may attack them again in that way; and if he keeps on attacking them in that way they will get richer and richer with every attack.

Mr. BEVERIDGE. Mr. President, will the Senator permit me?

Mr. DANIEL. Certainly.

Mr. BEVERIDGE. Does the Senator see any similarity between the provisions concerning the tobacco tax as the bill

comes out of the conference committee and the measure which I have the honor to present to the Senate?

Mr. DANIEL. I see none in the tax.

Mr. BEVERIDGE. No; neither with reference to coupons nor packages. I shall have something to say about that.

Mr. DANIEL. There is no change in the tax. I am speaking only about the tax, and that tax strikes the independent tobacco manufacturers, the workmen, and the farmers.

Mr. BEVERIDGE. No.

Mr. DANIEL. The Senator can not deny it.

Mr. BEVERIDGE. I do deny it.

Mr. DANIEL. And it does not strike the independent manufacturers?

Mr. BEVERIDGE. I presented the figures here concerning it. I do not want to enter into a discussion to-night, but—

Mr. DANIEL. If you do not want to, do not open it. You took a day in which to discuss it, and I do not see why I can not take a few minutes at this time, though I replied to your former speech.

Mr. BEVERIDGE. If the Senator can see any similarity between that provision as reported by the committee of conference and the measure that I reported, and even the one that was passed by the Senate, I should like to have him point out what the similarity is, because it is not there. It has been changed; and I shall have occasion to say something about it.

Mr. DANIEL. They have not changed the tax. I am not pointing out similarities in other things. I can not discuss both at once.

Mr. BEVERIDGE. The tax as it passed the Senate, as demonstrated by tables and figures, would come out of the pockets of manufacturers exclusively, the principal and most exclusive of which is the American Tobacco Company.

Mr. DANIEL. I am not talking about anything but the tax, and I am not going to be diverted from one thing to another. It was the Senator's measure.

Mr. BEVERIDGE. It was; I wish it was yet.

Mr. DANIEL. I am talking about that tax. Please do not divert me. I could say something about the other things, and will if I see fit, but I am making my speech and not yours.

I repeat, Mr. President, at the instance of the Senator from Indiana 2 cents per pound on tobacco has been placed upon the American people who produce tobacco, with the exception that there is an exemption of the farmer selling his own tobacco, which, I hope, will prove to be as valuable as it is claimed to be. But it has been explained here by the only witness who pursued the effect of that tax, and it is the natural, the economic, and inevitable effect of that tax, as Jacob Wertheim, esq., a cigar manufacturer, told us, and as the history of such things indicates, that it will come, in the first instance, out of the large tobacco manufacturers; that it will be turned off by them in their recompenses upon the employees, upon the employees of other manufacturers, upon the independents, the workmen, and upon the farmers in the last account. That is the history of such things. I have made the argument here fully. It is not new. You can read it in my speech. I only wish to mention it here as a reminder as to how faithful this body has been to the trusts.

Now, Mr. President, take up the corporation tax. The Senate corporation tax started out and did levy a tax of 2 per cent on all the trading corporations of the country. I need not stop to call the names of them. It was a high tax on net receipts. It competed with a small tax, which I had the honor to offer, on gross receipts above certain exemptions, which would have probably raised more money on more people. I do not blame the Republican party, or anybody else, for not accepting my proposition; that was within their business; but it was an unequal tax for the exercise of a business privilege, not upon any property whatever, not upon any income whatever. Any corporation having a net income as described in that measure had to pay the 2 per cent tax. When it came before the Senate it was amended; I will not stop to read it. In effect it was so amended that a corporation holding the bonds of another corporation which had paid dividends on their bonds, should not be taxed. The color of argument behind that was that it was double taxation. There never was a greater fiction than that. Another fiction was that it was on incomes.

Mr. CRAWFORD. Will the Senator permit me right there?

Mr. DANIEL. I shall be very happy to do so, because I know the Senator would only—

Mr. CRAWFORD. I have not the provision before me now.

Mr. DANIEL. I have it before me.

Mr. CRAWFORD. But as it comes from the conference committee, is not the provision simply that the amount of tax paid by the subsidiary corporation shall be deducted? Does it undertake in its present form to exempt the holding corporation from paying the tax?

Mr. CLAPP. Will the Senator from Virginia allow me?

Mr. CRAWFORD. If the Senator will permit me—

Mr. CLAPP. Absolutely; no, sir.

Mr. CRAWFORD. I so understood the language as reported from the Finance Committee.

Mr. CLAPP. The Senator is mistaken. The original exemption was restored.

Mr. DANIEL. Let me go on, Mr. President. Corporation A, engaged in railroad, will have to pay the now reduced 1 per cent tax in a proper case. I ask the Senator from South Dakota to listen to me.

Mr. CRAWFORD. I am listening to the Senator.

Mr. DANIEL. Corporation B, engaged in any other business except a few exempted eleemosynary institutions, will also have to be taxed. What for? Not on any property whatsoever, but for the privilege of exercising the vocation in which they are engaged. A lawyer may have an excise tax to pay of such a per cent on his earnings as a lawyer. That is not a tax on the earnings, understand that; but it is a tax on the privilege of practicing law, and the yardstick by which the tax for practicing law may be estimated may be according to the measure of the earnings.

Now, here comes another corporation. It holds the bonds of corporation A, which has paid its tax for the privilege of its calling. It also owns the bonds of corporation B, which has paid the tax for the exercise of its calling. What is the calling of this third corporation? No matter what it is, it should pay 2 per cent or 1 per cent, as the case may be, not on its earnings, but for the privilege of exercising that third calling.

Confusion of mind, intentional misrepresentation, muddiness of intellect, the desire to pervert are the only sources from which man can derive the notion that it is any double tax or triple tax or anything but a tax for the calling exercised by that corporation which is taxed.

What will be the effect of it? The effect will be that under these provisions all the great so-called "holding corporations" in the country will not pay a single cent for the exercise of their great calling, and will be entirely exempted from paying their license tax for the reason that corporation A or corporation B has paid its tax for privileges that apply only to them. A fashion has gotten out of using a false nomenclature. The same subtle system of misrepresentation that called the Wilson tariff bill a free-trade bill calls the corporation law an income tax, when there is not a dime of taxation levied on any income or levyable; the same misrepresentation that confuses the payment of a tax by corporation A and corporation B for their particular callings carries it over to the account and credits it on the account of corporation C, which is the owner of the bonds of both.

Mr. President, unless I had a list of the long line of trusts, holding companies, buyers, and purchasers of bonds in this country I could not begin to give you an opinion as to the law; but I have an apprehension about it. It is this: An excise tax must be uniform geographically with respect to the classes upon which it is levied. It is not unlikely, Mr. President, that it will be found, or may be found, that amongst all the holding companies of this country there are companies who are exercising a variety of callings, and not one calling. It may be a bank; it may be a railroad; it may be any other kind of a corporation that is holding bonds; and all of those corporations are exempted in this clause as to the net receipts, while other corporations of the same kind are not exempted in like manner. So it may be that this corporation-tax measure will be set aside as unconstitutional.

Whether that be so or not, no man can read that corporation tax as it now stands without realizing when he gets through that the architects thereof intended to make it as unpopular as possible. It is full of dynamite and of gunpowder and of kerosene and of all ignitables, and it is surrounded with hay and straw and shavings and other elements easy to ignite. No man who had the idea to bring about the fruitfulness of a government measure ever invented that bill.

Mr. President, I am done. The curtain will soon fall over this medley of vaudeville and tragedy. I shall not seek to convince anybody. The didactic hours have all gone by. I shall not seek to exhort anybody. The possible sinner or wanderer from true constitutional principles has got incurable by this time, or at least not reachable by either the arguments of constitutional integrity or of any other kind.

I have always hoped that I might see a true Democratic party in this country. That hope has not died out in my heart. I have seen the Democratic party go a wandering time and again. I have stayed with it nevertheless, though I generally stated my views pretty plainly, as I always do when I feel it is my duty to do so; but if a Democratic party were to arise in this country, plain and simple, repeating only the bed-rock Democratic principles which it used to repeat, not running out to get what it fancies is a popular schedule on some topic with a local application, not going off into untried and very doubtful suggestions, with a man to represent it who was a Democrat in heart and would stand by those principles, it would be likely to carry this country.

In casting your horoscopes, gentlemen, do not suppose that you have carried this country, and do not be dead sure that you will do so by this bill. The time may come—and I hope for the good of my country that it may—when it may be said "the disinherited knight has returned from the Holy Land and dares the proud Templar to the contest." If he is the rightful heir, he will win; if not, I can not answer.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 5, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate August 4, 1909.

COMMISSIONER OF IMMIGRATION.

Ellis De Bruler, of Washington, to be commissioner of immigration at the port of Seattle, Wash., in the Department of Commerce and Labor.

PROMOTIONS IN THE NAVY.

Lieut. Harlan P. Perrill to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander George W. Logan, promoted.

Lieut. William H. Reynolds to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Guy H. Burrage, promoted.

Commander Edward E. Wright to be a captain in the navy from the 1st day of July, 1909, vice Capt. Edward F. Qualtrough, retired.

Lieut. Commander Kenneth McAlpine, an additional number in grade, to be a commander in the navy from the 24th day of June, 1909, with Lieut. Commander Charles H. Hayes, promoted.

Lieut. Commander Mark L. Bristol to be a commander in the navy from the 1st day of July, 1909, vice Commander John M. Orchard, promoted.

Lieut. Commander Henry F. Bryan to be a commander in the navy from the 1st day of July, 1909, vice Commander Ben W. Hodges, promoted.

Lieut. Commander Thomas Washington to be a commander in the navy from the 1st day of July, 1909, vice Commander Leo D. Miner, retired.

Lieut. Commander Archibald H. Davis to be a commander in the navy from the 1st day of July, 1909, vice Commander Harry George, retired.

Lieut. Commander Frank Marble to be a commander in the navy from the 24th day of July, 1909, vice Commander William S. Benson, promoted.

Lieut. Harry E. Yarnell to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Edward T. Witherspoon, promoted.

Machinists Charles A. Rowe and Ernest Evans to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service, in accordance with the provisions of an act of Congress approved on that date.

POSTMASTERS.

ALABAMA.

Florence I. Dinwiddie to be postmaster at Bay Minette, Ala., in place of Ralph G. Green. Incumbent's commission expired January 19, 1909.

John W. Kitchens to be postmaster at Heflin, Ala. Office became presidential January 1, 1908.

Charles M. Sartain to be postmaster at Oakman, Ala. Office became presidential April 1, 1909.

COLORADO.

Charles E. Baer to be postmaster at Steamboat Springs, Colo., in place of Benjamin F. Niesz. Incumbent's commission expired November 19, 1907.

James E. Simpson to be postmaster at Lafayette, Colo., in place of Edgar E. Beckett. Incumbent's commission expired April 19, 1909.

ILLINOIS.

Isaac F. Landis to be postmaster at La Harpe, Ill., in place of William O. Butler. Incumbent's commission expired March 6, 1909.

MARYLAND.

Robert F. Duer to be postmaster at Princess Anne, Md., in place of William F. Lankford, deceased.

Mifflin W. Thomas to be postmaster at Chestertown, Md., in place of Mifflin W. Thomas. Incumbent's commission expired December 14, 1907.

OHIO.

William H. Ray to be postmaster at Carrollton, Ohio, in place of William H. Ray. Incumbent's commission expired February 27, 1909.

OKLAHOMA.

Gavin D. Duncan to be postmaster at Boswell, Okla. Office became presidential April 1, 1909.

SOUTH DAKOTA.

J. R. Johnston to be postmaster at Edgemont, S. Dak., in place of James M. Stewart, whose commission expired January 13, 1907, and J. R. Calder, appointed (recess) June 5, 1908.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 4, 1909.

COLLECTORS OF INTERNAL REVENUE.

Millard T. Hartson, to be collector of internal revenue for the district of Washington, Washington.

Alfred N. Rodway, to be collector of internal revenue for the eighteenth district of Ohio.

COMMISSIONER OF IMMIGRATION.

Ellis De Bruler, to be commissioner of immigration at Seattle, Wash.

MINISTER.

William F. Sands to be envoy extraordinary and minister plenipotentiary to Guatemala.

SECRETARIES OF EMBASSIES.

James G. Bailey to be secretary of the embassy at Mexico, Mexico.

Arthur Bailly-Blanchard to be secretary of the embassy at Paris, France.

John H. Gregory, jr., to be second secretary of the embassy at Constantinople, Turkey.

Hugh S. Gibson to be second secretary of the embassy at London, England.

Irwin B. Laughlin to be second secretary of the embassy at Paris, France.

Balkam Schoyer to be second secretary of the embassy at Rio de Janeiro, Brazil.

Charles S. Wilson to be second secretary of the embassy at Rome, Italy.

Charles Campbell, jr., to be third secretary of the embassy at Tokyo, Japan.

G. Andrews Moriarty, jr., to be third secretary of the embassy at Mexico, Mexico.

Frank D. Arnold to be secretary of the legation at Guatemala, Guatemala.

Alexander Benson to be secretary of the legation at La Paz, Bolivia.

Philip Bayard to be secretary of the legation at Tangier, Morocco.

Robert Woods Bliss to be secretary of the legation at Buenos Aires, Argentine Republic.

William P. Cresson to be secretary of the legation at Lima, Peru.

Francis Munroe Endicott to be secretary of the legation at Santo Domingo, Dominican Republic.

Henry Coleman May to be secretary of the legation at Stockholm, Sweden.

Alexander R. Magruder to be secretary of the legation to Paraguay and Uruguay.

J. Butler Wright to be secretary of the legation at Tegucigalpa, Honduras.

Sheldon Whitehouse to be secretary of the legation at Caracas, Venezuela.

Robert M. Winthrop to be secretary of the legation to Greece and Montenegro.

William K. Wallace to be secretary of the legation at Copenhagen, Denmark.

A. Campbell Turner to be secretary of the legation at Madrid, Spain.

Seth Low Pierrepont to be secretary of the legation at Santiago, Chile.

U. Grant Smith to be secretary of the legation at Brussels, Belgium.

G. Cornell Tarler to be secretary of the legation and consul-general at Bangkok, Siam.

Norval Richardson to be second secretary of the legation at Habana, Cuba.

PROMOTIONS IN THE NAVY.

COMMANDER TO BE A CAPTAIN.

Edward E. Wright.

LIEUTENANT-COMMANDERS TO BE COMMANDERS.

Kenneth McAlpine,

Mark L. Bristol,

Henry F. Bryan,

Thomas Washington,

Archibald H. Davis, and

Frank Marble.

LIEUTENANTS TO BE LIEUTENANT-COMMANDERS.

Harlan P. Perrill,

William H. Reynolds, and

Harry E. Yarnell.

MACHINISTS TO BE CHIEF MACHINISTS.

Charles A. Rowe, and

Ernest Evans.

POSTMASTERS.

ALABAMA.

Florence I. Dinwiddie, at Bay Minette, Ala.

Charles M. Sartain, at Oakman, Ala.

William S. Smith, at Fort Deposit, Ala.

COLORADO.

Charles E. Baer, at Steamboat Springs, Colo.

James E. Simpson, at Lafayette, Colo.

ILLINOIS.

Isaac F. Landis, at La Harpe, Ill.

MARYLAND.

Robert F. Duer, at Princess Anne, Md.
Mifflin W. Thomas, at Chestertown, Md.

MICHIGAN.

Burton D. Cady, at Port Huron, Mich.

MISSISSIPPI.

H. W. Durrant, at Coffeeville, Miss.

NEW YORK.

Howard M. Brush, at Smithtown Branch, N. Y.

NORTH CAROLINA.

Saunders V. Hudson, at Apex, N. C.
James B. Winders, at Warsaw, N. C.

OHIO.

Adolphus Baker, at Amherst, Ohio.
Edward E. Peterson, at Williamsburg, Ohio.
William H. Ray, at Carrollton, Ohio.
Charles A. Tracy, at Malta, Ohio.
Howard J. Warner, at Jefferson, Ohio.

OKLAHOMA.

James W. Brady, at Haskell, Okla.
Gavin D. Duncan, at Boswell, Okla.
James L. Gray, at Tuttle, Okla.
James B. Miller, at Fort Gibson, Okla.

SOUTH DAKOTA.

William A. Abbott, at Waubay, S. Dak.
Amos H. Davis, at Parkston, S. Dak.
James P. Turner, at Faulkton, S. Dak.
Herbert B. Tysell, at Britton, S. Dak.

TEXAS.

Alexander McCullough, at Sourlake, Tex.
Luther B. Johnson, at Celina, Tex.
H. Schmidt, at Bremond, Tex.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, August 4, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6277. An act to authorize the building of a dam across the Savannah River at or near the mouth of Stevens Creek, between the counties of Edgefield, S. C., and Columbia, Ga.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9135) to raise revenue for the Philippine Islands, and for other purposes.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 11572. An act to authorize the construction, maintenance, and operation of various bridges across and over certain navigable waters, and for other purposes; and

H. R. 11579. An act to amend an act relative to the erection of a lock and dam in aid of navigation in the Tennessee River.

The message also announced that the Senate had passed Senate joint resolution (S. J. R. 16) authorizing the printing of reports upon preliminary examinations and surveys, etc., in which the concurrence of the House of Representatives was requested.

ADDITIONAL TEMPORARY CLERKS, COMMITTEE ON ENROLLED BILLS.

Mr. WILSON of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 106.

Resolved, That there shall be paid out of the contingent fund of the House compensation at the rate of \$6 per diem for the services of four additional clerks to the Committee on Enrolled Bills for two days.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

SUSPENSION OF CLAUSE 2, RULE XXIX.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that clause 2 of Rule XXIX, which requires the printing of a conference report in the Record before it can be considered in the House, thereby sending it over for one day, be suspended for the remainder of this special session.

The SPEAKER. The gentleman from New York asks unanimous consent that the rule which requires the printing of conference reports in the Record before they can be considered be suspended for the remainder of this session. Is there objection?

Mr. MACON. I object to that, Mr. Speaker.

Mr. PAYNE. Mr. Speaker, I hope the gentleman will not object. It will simply result in prolonging this session.

Mr. MACON. Why, Mr. Speaker, we can attend to these matters as we get to them. Let each report stand upon its own merits.

Mr. PAYNE. Then, I suppose I shall have to offer a rule and ask the Committee on Rules to bring it in, if the gentleman wants to object.

Mr. HUGHES of West Virginia. Mr. Speaker, I hope that the gentleman will withdraw his objection, and that he will see that the business of this House ought not to be delayed to simply humor some whim of the gentleman.

Mr. MACON. Mr. Speaker, I desire to say that my whim and opinions are of as much importance as the gentleman's ever were in the world, and I do not appreciate the gratuitous suggestion the gentleman has just made.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess for thirty minutes.

The question was taken, and the motion was agreed to.

Accordingly (at 12 o'clock and 7 minutes p. m.) the House took a recess for thirty minutes.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 37 minutes p. m.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report (H. Rept. No. 23) from the Committee on Rules.

The SPEAKER. The gentleman from Pennsylvania submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 107.

Resolved, That clause 2 of Rule XXIX be, and hereby is, suspended for the remainder of this session.

Mr. DALZELL. Mr. Speaker, Rule XXIX is the rule which provides that conference reports shall lie over for one day to be printed in the Record. The rule also provides, however, that this shall not be required during the last six days of a session, and, as we all know, we are within the last six days of the session. This resolution now presented is within both the letter and the spirit of the rule. There is no conference report to which it can apply, I am advised, except the conference report on the deficiency bill. If the gentleman from Missouri desires any time now, I shall be glad to yield to him.

Mr. CLARK of Missouri. If any gentleman on this side wants to discuss this rule, I will yield him time.

I will yield five minutes to the gentleman from Arkansas [Mr. MACON].

Mr. MACON. I simply want to ask the gentleman from Pennsylvania [Mr. DALZELL] a question or two. Can the gentleman tell me how many conference reports there are out now to be brought into the House?

Mr. DALZELL. One, as I understand it.

Mr. MACON. Then can the gentleman see any difference between waiting until the report is made and then asking unanimous consent to suspend the rules and the bringing in of a special rule at this time for that purpose?

Mr. DALZELL. I did not hear the gentleman.

Mr. MACON. I asked if the gentleman could see any difference between asking unanimous consent to suspend the rules at the time this one report is presented to the House and the bringing in of a special rule at this time for that purpose?

Mr. DALZELL. Unanimous consent was asked, and, very much to the astonishment of everybody except one man, it was refused. It becomes necessary, unless we are to be kept here three or four days beyond the time we can adjourn, to have this rule. How much time does the gentleman want?

Mr. MACON. The gentleman from Missouri [Mr. CLARK] has yielded me five minutes.

Mr. Speaker, when the request was made by the gentleman from New York [Mr. PAYNE] to the effect that Rule XXIX be suspended, I could not see any reason why a general suspension of the rule should be made when the same request could be made for unanimous consent at the time of the bringing in